

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

**LEGISLATIVE ASSEMBLY
FIFTY-SEVENTH PARLIAMENT
FIRST SESSION**

Wednesday, 23 May 2012

(Extract from book 7)

Internet: www.parliament.vic.gov.au/downloadhansard

By authority of the Victorian Government Printer

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The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

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Legislative Assembly committees

Privileges Committee — Ms Barker, Mr Clark, Ms Green, Mr McIntosh, Mr Morris, Dr Napthine, Mr Nardella, Mr Pandazopoulos and Mr Walsh.

Standing Orders Committee — The Speaker, Ms Barker, Mr Brooks, Mrs Fyffe, Ms Green, Mr Hodgett, Mr McIntosh and Mrs Powell.

Joint committees

Dispute Resolution Committee — (*Assembly*): Mr Clark, Ms Hennessy, Mr Holding, Mr McIntosh, Mr Merlino, Dr Napthine and Mr Walsh. (*Council*): Mr D. Davis, Mr Hall, Mr Lenders, Ms Lovell and Ms Pennicuik.

Drugs and Crime Prevention Committee — (*Assembly*): Mr Battin and Mr McCurdy. (*Council*): Mr Leane, Mr Ramsay and Mr Scheffer.

Economic Development and Infrastructure Committee — (*Assembly*): Mr Burgess, Mr Foley, Mr Noonan and Mr Shaw. (*Council*): Mrs Peulich.

Education and Training Committee — (*Assembly*): Mr Crisp, Ms Miller and Mr Southwick. (*Council*): Mr Elasmarr and Ms Tierney.

Electoral Matters Committee — (*Assembly*): Ms Ryall and Mrs Victoria. (*Council*): Mr Finn, Mr Somyurek and Mr Tarlamis.

Environment and Natural Resources Committee — (*Assembly*): Mr Bull, Ms Duncan, Mr Pandazopoulos and Ms Wreford. (*Council*): Mr Koch.

Family and Community Development Committee — (*Assembly*): Mrs Bauer, Ms Halfpenny, Mr McGuire and Mr Wakeling. (*Council*): Mrs Coote and Ms Crozier.

House Committee — (*Assembly*): The Speaker (*ex officio*), Ms Beattie, Ms Campbell, Mrs Fyffe, Ms Graley, Mr Wakeling and Mr Weller. (*Council*): The President (*ex officio*), Mr Drum, Mr Eideh, Mr Finn, Ms Hartland, and Mr P. Davis.

Law Reform Committee — (*Assembly*): Mr Carbines, Ms Garrett, Mr Newton-Brown and Mr Northe. (*Council*): Mrs Petrovich.

Outer Suburban/Interface Services and Development Committee — (*Assembly*): Ms Graley, Ms Hutchins and Ms McLeish. (*Council*): Mrs Kronberg and Mr Ondarchie.

Public Accounts and Estimates Committee — (*Assembly*): Mr Angus, Ms Hennessey, Mr Morris and Mr Scott. (*Council*): Mr P. Davis, Mr O'Brien and Mr Pakula.

Road Safety Committee — (*Assembly*): Mr Languiller, Mr Perera, Mr Tilley and Mr Thompson. (*Council*): Mr Elsbury.

Rural and Regional Committee — (*Assembly*): Mr Howard, Mr Katos, Mr Trezise and Mr Weller. (*Council*): Mr Drum.

Scrutiny of Acts and Regulations Committee — (*Assembly*): Mr Brooks, Ms Campbell, Mr Gidley, Mr Nardella and Mr Watt. (*Council*): Mr O'Brien and Mr O'Donohue.

Heads of parliamentary departments

Assembly — Clerk of the Parliaments and Clerk of the Legislative Assembly: Mr R. W. Purdey

Council — Clerk of the Legislative Council: Mr W. R. Tunnecliffe

Parliamentary Services — Secretary: Mr P. Lochert

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FIFTY-SEVENTH PARLIAMENT — FIRST SESSION

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The Hon. LOUISE ASHER

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The Hon. P. J. RYAN

Deputy Leader of The Nationals:

The Hon. P. L. WALSH

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The Hon. D. M. ANDREWS

Deputy Leader of the Parliamentary Labor Party and Deputy Leader of the Opposition:

The Hon. J. A. MERLINO

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Allan, Ms Jacinta Marie	Bendigo East	ALP	Lim, Mr Muy Hong	Clayton	ALP
Andrews, Mr Daniel Michael	Mulgrave	ALP	McCurdy, Mr Timothy Logan	Murray Valley	Nats
Angus, Mr Neil Andrew Warwick	Forest Hill	LP	McGuire, Mr Frank ⁴	Broadmeadows	ALP
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Blackwood, Mr Gary John	Narracan	LP	Mulder, Mr Terence Wynn	Polwarth	LP
Brooks, Mr Colin William	Bundoora	ALP	Napthine, Dr Denis Vincent	South-West Coast	LP
Brumby, Mr John Mansfield ¹	Broadmeadows	ALP	Nardella, Mr Donato Antonio	Melton	ALP
Bull, Mr Timothy Owen	Gippsland East	Nats	Neville, Ms Lisa Mary	Bellarine	ALP
Burgess, Mr Neale Ronald	Hastings	LP	Newton-Brown, Mr Clement Arundel	Prahran	LP
Campbell, Ms Christine Mary	Pascoe Vale	ALP	Noonan, Mr Wade Mathew	Williamstown	ALP
Carbines, Mr Anthony Richard	Ivanhoe	ALP	Northe, Mr Russell John	Morwell	Nats
Carroll, Mr Benjamin Alan ²	Niddrie	ALP	O'Brien, Mr Michael Anthony	Malvern	LP
Clark, Mr Robert William	Box Hill	LP	Pallas, Mr Timothy Hugh	Tarneit	ALP
Crisp, Mr Peter Laurence	Mildura	Nats	Pandazopoulos, Mr John	Dandenong	ALP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Perera, Mr Jude	Cranbourne	ALP
Delahunty, Mr Hugh Francis	Lowan	Nats	Pike, Ms Bronwyn Jane ⁵	Melbourne	ALP
Dixon, Mr Martin Francis	Nepean	LP	Powell, Mrs Elizabeth Jeanette	Shepparton	Nats
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Richardson, Ms Fiona Catherine Alison	Northcote	ALP
Duncan, Ms Joanne Therese	Macedon	ALP	Ryall, Ms Deanne Sharon	Mitcham	LP
Edwards, Ms Janice Maree	Bendigo West	ALP	Ryan, Mr Peter Julian	Gippsland South	Nats
Eren, Mr John Hamdi	Lara	ALP	Scott, Mr Robin David	Preston	ALP
Foley, Mr Martin Peter	Albert Park	ALP	Shaw, Mr Geoffrey Page	Frankston	LP
Fyffe, Mrs Christine Ann	Evelyn	LP	Smith, Mr Kenneth Maurice	Bass	LP
Garrett, Ms Jane Furneaux	Brunswick	ALP	Smith, Mr Ryan	Warrandyte	LP
Gidley, Mr Michael Xavier Charles	Mount Waverley	LP	Southwick, Mr David James	Caulfield	LP
Graley, Ms Judith Ann	Narre Warren South	ALP	Sykes, Dr William Everett	Benalla	Nats
Green, Ms Danielle Louise	Yan Yean	ALP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Halfpenny, Ms Bronwyn	Thomastown	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
Helper, Mr Jochen	Ripon	ALP	Tilley, Mr William John	Benambra	LP
Hennessy, Ms Jill	Altona	ALP	Trezise, Mr Ian Douglas	Geelong	ALP
Herbert, Mr Steven Ralph	Eltham	ALP	Victoria, Mrs Heidi	Bayswater	LP
Hodgett, Mr David John	Kilsyth	LP	Wakeling, Mr Nicholas	Ferntree Gully	LP
Holding, Mr Timothy James	Lyndhurst	ALP	Walsh, Mr Peter Lindsay	Swan Hill	Nats
Howard, Mr Geoffrey Kemp	Ballarat East	ALP	Watt, Mr Graham Travis	Burwood	LP
Hulls, Mr Rob Justin ³	Niddrie	ALP	Weller, Mr Paul	Rodney	Nats
Hutchins, Ms Natalie Maree Sykes	Keilor	ALP	Wells, Mr Kimberley Arthur	Scoresby	LP
Kairouz, Ms Marlene	Kororoit	ALP	Wooldridge, Ms Mary Louise Newling	Doncaster	LP
Katos, Mr Andrew	South Barwon	LP	Wreford, Ms Lorraine Joan	Mordialloc	LP
Knight, Ms Sharon Patricia	Ballarat West	ALP	Wynne, Mr Richard William	Richmond	ALP
Kotsiras, Mr Nicholas	Bulleen	LP			
Languiller, Mr Telmo Ramon	Derrimut	ALP			

¹ Resigned 21 December 2010

² Elected 24 March 2012

³ Resigned 27 January 2012

⁴ Elected 19 February 2011

⁵ Resigned 7 May 2012

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Wednesday, 23 May 2012

The **SPEAKER (Hon. Ken Smith)** took the chair at 9.33 a.m. and read the prayer.

**WORKING WITH CHILDREN
AMENDMENT BILL 2012**

Introduction and first reading

Mr **CLARK (Attorney-General)** introduced a bill for an act to amend the Working with Children Act 2005 in relation to the giving, suspension, reassessment and review of assessment notices, to amend the Victorian Civil and Administrative Tribunal Act 1998 and the Transport (Compliance and Miscellaneous) Act 1983 and for other purposes.

Read first time.

BUSINESS OF THE HOUSE

Notices of motion: removal

The **SPEAKER** — Order! Notices of motion 13 to 24 will be removed from the notice paper unless members wishing their notice to remain advise the Clerk in writing before 6.00 p.m. today.

PETITIONS

Following petition presented to house:

Public transport: Point Cook

This petition of certain citizens of the state of Victoria draws to the attention of the Legislative Assembly the current congestion on arterial roads and inadequate public transport in and around the suburb of Point Cook.

Petitioners are:

concerned at the failure of the government to invest in road infrastructure to support Point Cook residents;

concerned that Point Cook residents are experiencing inadequate public transport access and services;

concerned to ensure that before further development in Point Cook is considered, that the infrastructure and service needs of the current population relating to roads and public transport are addressed.

Petitioners therefore request that the Legislative Assembly implore the Baillieu state government to provide adequate funding in the 2012–13 state budget to ease road congestion and provide sufficient public transport access and services for residents in and around Point Cook.

By Ms **HENNESSY (Altona)** (164 signatures).

Tabled.

**PUBLIC ACCOUNTS AND ESTIMATES
COMMITTEE**

**Victorian Auditor-General's Office:
independent financial auditor**

Mr **MORRIS (Mornington)** presented report, together with appendices.

Tabled.

Ordered to be printed.

DOCUMENTS

Tabled by Clerk:

Auditor-General:

Management of Trust Funds in the Justice Portfolio —
Ordered to be printed

Payments to Visiting Medical Officers in Rural and
Regional Hospitals — Ordered to be printed

Tertiary Education and Other Entities: Results of the
2011 Audits — Ordered to be printed

Statutory Rules under the following Acts:

Heritage Act 1995 — SR 34

Transfer of Land Act 1958 — SR 33

Victorian Energy Efficiency Target Act 2007 — SR 32

Subordinate Legislation Act 1994 — Documents under s 15 in
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MEMBERS STATEMENTS

Dreamtime at the G

Mrs **POWELL (Minister for Aboriginal Affairs)** —
On Saturday, 19 May, my husband, Ian, and I joined Michael Long and thousands of indigenous and non-indigenous people in the Long Walk from Birrarung Marr to the MCG to watch the 2012 Dreamtime at the G match between Essendon and Richmond. The Long Walk celebrated Michael Long's walk from Melbourne to Canberra in 2004 that celebrated Aboriginal and Torres Strait Islander wellbeing. I was honoured to walk alongside Michael Long and indigenous actor Aaron Pedersen and be part

of the wonderful atmosphere of support and recognition of indigenous people.

Ian and I were invited to the dinner of the chairman of Essendon Football Club along with some of my parliamentary colleagues, including the Premier, the member for Brighton and her husband, Ron, and a member for Northern Victoria Region in the other place, Wendy Lovell. We heard Nova Peris tell us her inspiring story.

We were also delighted to watch girls from Mooroopna Secondary College, who also attend the Wannik Dance Academies, perform at the MCG. I congratulate coordinator Scott Burton and artistic director Margie Mackay on their great work with the dancers. I particularly congratulate the dancers. I am sure the honour of dancing in front of a crowd of almost 81 000 people will stay with them for a very long time.

The match was very exciting, with Essendon beating Richmond by 19 points and Victorian indigenous player Nathan Lovett-Murray scoring a crucial goal in the last quarter. This football match showcased the skills and talents of indigenous players, and I applaud the AFL for its support of indigenous players, many of whom have become legends of the game. The Long Walk lives on through the Long Walk charity, and I commend that charity.

Australia India Business Council: function

Mr DONNELLAN (Narre Warren North) — Last Wednesday night I was fortunate to be invited to an Australia India Business Council function at the Windsor Hotel. I want to congratulate Ravi Bhatia for his establishment and management of this organisation. He has done a marvellous job for Australia-India business relations over many years. His commitment is absolute. There would have been about 300 attendees, and the guest speaker was the Governor of Victoria, Alex Chernov, who talked about the importance of continuing to develop these relations and their importance to the future of Australia over the next 50 to 100 years and suggested that we continue to work very hard on improving these relations.

The inaugural Ashoka award was presented to the federal Minister for Resources and Energy and Minister for Tourism, Martin Ferguson. The citation for the award noted Mr Ferguson's enormous contributions to Australia-India relations, specifically in relation to the sale of uranium to India for energy purposes. I want to congratulate Martin Ferguson on winning the inaugural award and, above all, Ravi Bhatia for the enormous work he does for our relationship with India and his

absolute commitment to continue doing that for many years to come.

Mother's Day Classic: Horsham

Mr DELAHUNTY (Minister for Sport and Recreation) — I was privileged to take part in the Mother's Day Classic in Horsham. This event helps raise money for breast cancer research, remember those who have lost their battle and celebrate those who have survived. This event was well attended, as were many such events across Victoria, and I commend the organisers and the participants for their support for this very worthy cause.

National Volunteer Week

Mr DELAHUNTY — Last week I attended a forum in Casterton to celebrate National Volunteer Week and the work our volunteers do in the community. This year's theme was 'Volunteers — every one counts'. Volunteers are the backbone of any community, especially country communities, and they provide much-needed assistance not only to organisations but also to individuals. I believe in the philosophy that in giving we receive, so on behalf of the people of the Lowan electorate, I say a big thank you to all the volunteers for their wonderful contributions to our communities, particularly the 580 000 volunteers who work in the sport and recreation sector.

Shire of Hindmarsh: Governor's visit

Mr DELAHUNTY — Last week I also attended a Hindmarsh shire reception to welcome the Governor of Victoria, the Honourable Alex Chernov, and Mrs Chernov. They visited Luv-a-Duck and the Nine Creeks walking and bicycle track. They also visited the Wimmera-Mallee Pioneer Museum at Jeparit, Lake Hindmarsh, the Rainbow primary and secondary schools, and the new health and fitness centre at Dimboola Memorial Secondary College.

Rugby League: State of Origin

Mr DELAHUNTY — Tonight is the first game of the 2012 Rugby League State of Origin series. Over 53 000 people will be in attendance. I wish the New South Wales and Queensland players all the best in what will be state against state and mate against mate.

North Geelong Secondary College: achievements

Mr TREZISE (Geelong) — On Monday, 21 May, I had the pleasure of meeting once again with North

Geelong Secondary College principal Mr Nick Adamou, touring the school and, in doing so, meeting with many teachers and students. I take this brief opportunity to commend the members of the North Geelong Secondary College team for their outstanding work in providing a quality education to a school of approximately 620 students, many of whom are refugees and nearly 50 per cent of whom come from a language background other than English.

The school is the base for an English language centre, and on Monday I had the opportunity to speak with teachers and students in the centre. Knowing the background of these students, I can genuinely say their commitment to learning is inspirational. North Geelong Secondary College also has a tremendous English-as-a-second language certificate of applied learning program, a program that has 30 students, many of whom are behind the eight ball themselves, some having to run their own households and look after their siblings and extended family because for whatever reason their parents are absent.

North Geelong Secondary College is a great school whose values are based around respect, excellence, achievement and diversity. After many visits to the school, I know that these are not just words. The college lives and breathes these attributes, and I commend it for that.

Coatesville Primary School: refurbishment

Ms MILLER (Bentleigh) — Earlier this month the coalition government delivered a responsible budget for 2012–13. This budget is focused on living within our means to secure the future for Victorians. Last Monday morning at Coatesville Primary School's assembly I was delighted to announce that \$260 000 has been allocated for the school to commence planning for the refurbishment of school buildings, a refurbishment that has been needed for over a decade. The entire school community was present, including students, parents, teachers, the principal and members of the school council.

Coatesville Primary School is growing rapidly. It is an authorised International Baccalaureate primary years program school. Coatesville Primary School strives to develop inquiring, knowledgeable young people who help to create a better and more peaceful world through intercultural understanding and respect. The school attracts high-quality staff who are committed to academic excellence. This school has been neglected for 11 years. The Baillieu government is meeting its long-awaited needs by securing funding in this budget. The principal, Louise Pearce, the school council, the

Minister for Education and I met to discuss the problems with the current buildings. It was obvious we needed to fix the problem of these neglected classrooms and build for the children's futures by restoring the learning spaces.

Labor's 'care' slogan is hypocritical. If it cared about education for our children, the previous government would have acted for this wonderful school well before now. If Labor cares about schools, why have so few members of the opposition in their adjournment matters sought for the Minister for Education to visit schools in their electorates? If Labor cared, it would have used its time in government to deliver for education and not have waited until it was in opposition to talk about it.

National Volunteer Week

Mr EREN (Lara) — Today I would like to say thank you to more than 6.5 million volunteers right across Australia, of whom more than 1.5 million are from Victoria. Just to put it into perspective, the monetary value of volunteering is well over \$11 billion. It would be fair to say that without volunteers all three tiers of government would be in a lot of trouble. Last week was National Volunteer Week, which was not only an opportunity to celebrate the wonderful work volunteers do in our community but also a chance for Victorians to get involved and volunteer. I pledged my support as a volunteer at the Salvation Army Northside Geelong Community Centre, and it is not too late for anyone else in the community who is able to commit some time to help others to become a volunteer as well.

It is hard to imagine a world without volunteers. Many people would not realise it, but volunteers are the lifeblood of our community. Most of us have direct contact with volunteers without even knowing it. They exist as local Country Fire Authority and State Emergency Service members or serving meals at the local Meals on Wheels and running local sporting clubs, to name a few examples. Without volunteers what would we do in our hospitals and health sector or in other areas too many to mention?

One particularly special volunteer I would like to pay tribute to is Jean Nelson. Jean won this year's Anzac Day award at the Norlane RSL in my electorate for going above and beyond the normal call of duty. Jean was at the inaugural meeting in 1996 of the Geelong Legacy Club and has been a dedicated volunteer and member ever since. I congratulate her.

Environment: Blackburn site

Ms RYALL (Mitcham) — On Monday, 30 April, the first stage in the clean-up process of the former Caltex site on Blackburn Road, Blackburn, began when the site's derelict buildings were demolished. This was a major priority I raised with the Minister for Environment and Climate Change soon after the state election. After 15 years of this eyesore destroying the amenity of the Blackburn village and the failure of the former Labor government to act on the calls for action, we are finally seeing results. Blackburn Chamber of Commerce and Industry and residents should be proud of their efforts, and I thank them for their involvement in improving our local community.

CMA Corporation: relocation

Ms RYALL — I welcome the announcement of plans by CMA Corporation to move its shredding operation from Heatherdale Road, Ringwood, to a more appropriate location. After years without hope of realistic coexistence between CMA and Mitcham residents and the failure of the former government to achieve a result for the community, the move is well overdue. I congratulate the work of the Minister for Environment and Climate Change, the Minister for Innovation, Services and Small Business and the Environment Protection Authority (EPA) on achieving a positive outcome for our community. While the company has indicated it will take considerable time to achieve it, the move is welcome. We also welcome the EPA's diligence in monitoring interim activity to ensure that residents can live peacefully. Thank you to the Heatherdale Community Action Group and to local residents for their persistence and for enabling a productive relationship in my advocacy for them.

Phillip Vear

Ms RYALL — I would like to acknowledge one of my electorate's hardest working principals, Mr Phil Vear, of Mullauna Secondary College. Mr Vear will retire at the end of term, and I congratulate him on serving his school very well.

Bruce Dorgan

Mr FOLEY (Albert Park) — I rise with sadness to note the sudden and tragic death of Mr Bruce Dorgan. Bruce died in tragic circumstances last week, and he leaves behind his lovely wife, Melinda, and their two children, Ella and Flynn. Besides being a successful businessperson and developer in his own right, Bruce Dorgan from the Middle Park community was a stalwart of the South Melbourne Life Saving Club. As a

leader in that club he was instrumental in developing its nippers program and its junior development and leadership program, making the South Melbourne Life Saving Club one of the most successful clubs — and certainly the most successful suburban club — in Victoria.

Bruce was instrumental in putting together the business case and funding models that have so far seen the South Melbourne Life Saving Club put together \$3 million worth of state, local and business funding to redevelop its 1950s building. It is very sad indeed that Bruce will not be around to see the fruits of his labour in that regard. He will be greatly missed, and the hole left in the sponsorship and leadership of the club will take some filling.

Michael Spartels

Mr FOLEY — I also rise to mark the worthy achievement of Mr Michael N. Spartels from the Kastellorizian Association of Victoria in being nominated Kastellorizian of the Year.

Infrastructure: federal funding

Mr BLACKWOOD (Narracan) — The recent federal budget was extremely disappointing on a range of fronts, in particular the Gillard government's decision not to provide funding for any infrastructure projects in Victoria. Despite repeated requests from the Premier directly to the federal Treasurer, Wayne Swan, and the Prime Minister, Julia Gillard, Victoria has been ignored once again.

It was not only the persistent pleas of the Victorian government that were ignored. Infrastructure Partnerships Australia prepared a report leading up to the federal budget which called on the government to channel some of the money in the Building Australia Fund to the states and territories to fund project planning. The IPA outlined that there are still rail tracks without standard gauge, safety concerns with more than 150 rail crossings in Melbourne alone and highways that emergency services struggle to reach during floods. In line with what the Premier has been saying for many months, the IPA warned that infrastructure bottlenecks are contributing to the productivity slump that started in the early 2000s.

The IPA report strongly suggests that the states need funds to develop plans for megaprojects and smaller high-productivity projects so these can be quickly rolled out when state and commonwealth revenues improve. These projects need to be stimulus ready in case further global economic shocks force the federal

government into another economic rescue package. The report also emphasises that just 14 per cent of the last stimulus program was spent on productive economic infrastructure.

With \$1.7 billion in the Building Australia Fund, \$2.7 billion in the Education Investment Fund and \$611 million in the Health and Hospitals Fund the question must be asked: is the federal government more concerned with retaining a war chest for the looming federal election than with the immediate welfare of the Australian economy?

The SPEAKER — Order! The member's time has expired.

Housing: city of Wyndham

Mr PALLAS (Tarneit) — I rise to commend the H3 Wyndham Alliance and the work it does to address the issues of housing, health and homelessness in the Wyndham community. The H3 Wyndham Alliance is a formal partnership of local organisations committed to health, housing and homelessness in the Wyndham municipality.

At a time when there are already over 14 370 people on the public housing waiting list in the north-west region alone, investment in public housing and crisis accommodation is critical. I know there are people in my community who have been waiting for over a decade for the housing support they are entitled to and who are only able to have roofs over their heads because of the tireless and generous efforts of member organisations of the H3 alliance. This is a problem that will only get worse as communities continue to grow. The population of the city of Wyndham alone is growing at a rate of 8.8 per cent a year.

While many groups within my community and across Victoria are working to support vulnerable Victorians, the state government is not. The government must take action to help vulnerable Victorians find a place to live by increasing funding for public housing, crisis accommodation and support programs. The government's failure to invest in public housing stock at a time when Victoria's population is increasing is short sighted and the decision needs to be reviewed.

Forest Hill College: basketball marathon

Mr ANGUS (Forest Hill) — Last night after the house rose I had the pleasure, on my way home, of visiting Forest Hill College's annual 24-hour basketball marathon. This annual basketball marathon has been run for over 20 years and raises funds for various charities as well as for college facilities. I congratulate

all the staff, in particular Anne Crawford, as well as the many students involved in this event, especially those on the organising committee who spent many hours planning and preparing for the event.

Nunawading Swimming Club: presentation night

Mr ANGUS — Last Saturday I was again pleased to attend the Nunawading Swimming Club's annual presentation night. It was an opportunity for recognition and awards to be given to various individuals for their outstanding performances and contributions to the club during the last year, both in and out of the pool. I congratulate all the award winners, as well as those involved in organising this event, in particular Gary Barclay and his team.

National Volunteer Week

Mr ANGUS — Last week was National Volunteer Week. I wish to congratulate and thank the volunteers from the various organisations in the electorate of Forest Hill. Their tireless and often unseen efforts enable these organisations to operate effectively and to serve our local community in a wide range of areas. Well done to all volunteers.

Infrastructure: federal funding

Mr ANGUS — I again congratulate the Treasurer and his team on the recent state budget. It is a responsible budget which, despite being prepared in very challenging financial times, has been well received both in the wider community and in the business sector. This is in stark contrast to the federal budget, which is a classic example of creative accounting or, to put it more bluntly, smoke and mirrors. This is not an unexpected outcome from the irresponsible and financially incompetent federal Greens-Labor government. The fact that the federal budget did not provide any funds for infrastructure in Victoria is deplorable. It is an indictment of an ineffective Prime Minister that she was unable to secure any funding from — —

The SPEAKER — Order! The member's time has expired.

Honorary Justice Office: location

Mr SCOTT (Preston) — I wish to raise an issue relating to justices of the peace. Justices of the peace (JPs) are required to give their name and address when signing official documents such as affidavits and statutory declarations. In 2009 the Honorary Justice Office, the HJO, advised JPs that they need no longer give their home address but could give the HJO office

address, then in Lygon Street, Carlton, to protect their privacy. At the same time the HJO offered to provide JPs with stamps with the HJO's address. Many took up that offer. In February 2012 the HJO sent a newsletter to JPs. The newsletter mentioned that the HJO's office had moved and gave a PO box for contact. The newsletter did not advise JPs that their stamps with the Carlton address were no longer valid. Upon inquiry the HJO advised that the Carlton address was no longer valid and the stamps must be replaced with new ones showing the new address.

I sincerely hope this issue does not give rise to the potential legal debacle that accompanied police officers admitting that they did not properly swear affidavits. It seems to be advisable that all justices of the peace be provided with the information they require to update their stamps if they had used the HJO's previous address. I hope this does not create the sort of legal farce we saw previously.

Greek community: achievements

Mr THOMPSON (Sandringham) — Today I pay tribute to Mr Steve Kyritsis, who recently wrote a book entitled *Greek-Australians in the Australian Armed Forces — World War I and World War II*. It is said that freedom is not free. Our nation remains free due to the toil and sacrifices made by untold thousands of Australian veterans, including men and women of Greek descent, who served in the Australian armed forces in World War I and World War II. Those who enlisted in the first Australian Imperial Force came from both sides of the world. The Greek and Australian places of birth of enlistees include Sparta, Maryborough, Kythera, Hamilton, Port Adelaide, Cyprus, Collingwood, Patra, Bendigo, Ithaca, Bathurst, Hania, Carlton, Corinth, Athens, Melbourne, Piraeus, Kefalonia, Salonika, Kastelorizo, Rosebud, Nicosia, Gippsland, the Aegean, Macedonia and Prahnan.

Sergeant Nick Rodakis won a military medal and a US distinguished service cross in Belgium whilst serving as a machine-gunner. He was honoured for extraordinary heroism, courage and fearlessness in battle. The mighty Angelo Barbouttis was killed in action in New Guinea fighting like a human war machine in combat with the enemy. He died at the age of 23.

The Greek contribution to Melbourne, Victoria and Australia is well established, highly valued and destined only to further grow and deepen. Steve Kyritsis is a man who can be relied upon to carry your last words from a front-line trench. In civilian life he worked up to 17 hours a day providing for his family; he translated that work ethic and dedication to his writing.

Rachael Woolley and Katina DeStatis

Ms GRALEY (Narre Warren South) — The electorate of Narre Warren South is blessed with some remarkably kind and talented people. I recently had the pleasure of hosting a morning tea with the shadow minister for disability services, the member for Yan Yean, to recognise Rachael Woolley and Katina DeStatis for being named as Victorian finalists in the 2012 Barnardos Mother of the Year awards. Rachael is the mother of five young children. Her eight-year-old twins, Jake and Cooper, both suffer from severe, non-verbal autism, and her five-year-old son, Dylan, has Asperger's syndrome. Following the birth of her twins Rachael became involved with a local multiple birth association to provide support and assistance to those in a similar situation to her own, and is now a staunch advocate for the rights of autistic children.

Katina is also the mother to five children and for the past six years has fostered children with disabilities. Both women have displayed enormous courage and determination, enduring incredible hardships yet remaining humble and willing to help those in need. They are true inspirations and fabulous mums.

City of Casey: volunteer awards

Ms GRALEY — I would also like to make special mention of those from my electorate who were recognised at the 2012 Casey volunteer awards held last Friday. Nominees included Brian Regan, Colin Smith, Michelle Barnes, Paul Bradley, Vicki Harding, Michele Halsall, Kerri Harris, Julie Hughes, Russ Pearce, Jean Read, Wendy Saunders, Pat Stone, Wayne Taylor and Paul Wright — all terrific people.

The Casey Community Flood Support Group, led by the indefatigable Michele Halsall, received the Casey Volunteer Group award. It was well deserved. The Casey Volunteer Organisation award went to the Balla Balla Community Centre for its wonderful volunteer program. Rosemary and Keith Savage were recognised for their work with the local volunteer transport service, winning the Casey Volunteering Pair award.

The DEPUTY SPEAKER — Order! The member's time has expired.

Rowville Secondary College: student award

Mr WAKELING (Ferntree Gully) — I take this opportunity to congratulate Rowville Secondary College year 10 students Daniel Donovan, Samuel Goh, Joshua Hangar and Sam Stephens, who received an award for their entry to the Cultural Diversity Quest

2012. Their winning entry entitled *Kesepakatan — The Deal* is a short film in Indonesian about the cooperation between the Australian and Indonesian police to foil an international wildlife smuggling racket.

Fairhills Primary School: facility opening

Mr WAKELING — I congratulate the staff and students of Fairhills Primary School for organising a great community event to celebrate the opening of their new school building. Fairhills is a great local school, and I am pleased to see that the facilities at this school will be improved in the future as part of the coalition government's commitment to invest \$4 million in the school during its first term in office.

Planning: city of Knox

Mr WAKELING — Issues concerning planning around Mountain Gate in Ferntree Gully have been of concern to many residents for a number of years. I was pleased recently to meet with a number of concerned constituents of the Knox municipality and with the mayor and representatives from Knox City Council. The parties recognised the need for Knox City Council to develop a structure plan in consultation with the local community to help guide future planning in the suburb.

Ferntree Gully electorate: youth council

Mr WAKELING — The Ferntree Gully electorate youth council met recently with Ed O'Donohue, Parliamentary Secretary for Transport in the other place. The meeting was highly successful, with all students engaging in a wide-ranging discussion about the current operation of driver education plus the impact of hoon legislation and restrictions on P-plate passengers.

Health: volunteer awards

Mr WAKELING — I would like to take this opportunity to thank the community representatives who recently participated in the selection of the award winners in this year's Minister for Health Volunteer Awards program. I can say in my capacity as the chair of the judging panel that we had a very strong field from which to select.

Independent Broad-based Anti-corruption Commission: legislation

Ms CAMPBELL (Pascoe Vale) — The Independent Broad-based Anti-corruption Commission Amendment (Examinations) Bill 2012 is commented on in the Scrutiny of Acts and Regulations Committee (SARC) *Alert Digest* No. 8. The Baillieu-Ryan

government went to the election with all guns blazing on the Independent Broad-based Anti-corruption Commission (IBAC). Its claims ended with a popgun discharge. In *Alert Digest* No. 7, SARC raised two very serious questions to the Minister responsible for the establishment of an anti-corruption commission. As was drawn to the house's attention on Tuesday, the minister failed to answer these two very specific questions. The Parliament and, most importantly, the courts need these questions answered. Without answers valuable court time will be wasted because of the minister's refusal to provide clarity to derivative use immunity provisions in section 33 of the IBAC bill.

The minister has form on his refusal to provide SARC with specific answers to very specific questions on derivative use immunity provisions, and we saw that previously in relation to the Victorian Inspectorate Bill 2011. The minister should take note of page 15 of *Alert Digest* No. 8 and the specific question: does the new section 33A permit IBAC to disclose information to defendants in proceedings that did not result from an IBAC investigation — that is, ones that preceded, were the subject of or were independent of an IBAC investigation. This house requires answers, SARC requires answers and the courts require answers; otherwise valuable time will be wasted.

Opposition: performance

Mr HODGETT (Kilsyth) — I rise today to condemn the opposition for trying to con Victorians with the new ALP slogan 'Labor cares'. What a con; what a joke! Labor is still trying to pull the wool over the eyes of hardworking, decent, honest Victorians. Labor is going to trot out all over Victoria pretending to hold its 100 community 'Labor cares' forums.

If Labor members cared, they would be sticking up for Victoria and telling the Gillard government the ALP carbon tax is going to hit Victorians hard, with exploding costs of living and expected job losses for Victorian families. If Labor members cared, they would not have signed up to the desalination plant mess that will cost Victorians \$2 million per day every day for the next 30 years. If Labor members cared, they would not be engaging in the disgraceful tactics of using Victorian job losses to score cheap, nasty political points. If they really cared, they would publicly show their concerns about escalating building and construction costs that are crippling infrastructure projects in Victoria.

The truth is Labor let Victoria down badly with its neglect and poor management over 11 years. The Labor government failed to plan and left Victoria in a mess. If Labor members really cared, they would not have sold

27 000, 10-year electronic gaming entitlements for just \$980 million, gaining \$3 billion less revenue than the assessed fair market value of these assets. Opposition members should be ashamed of the legacy the former government has left Victoria. Case after case confirms Labor's reputation for squandering taxpayers money. More than \$4 billion was wasted by the previous Labor government on waste, incompetence and mismanagement. We can never go back to Labor because Labor members just do not care.

Glenhuntly Athletic Club: awards

Ms BARKER (Oakleigh) — I was very pleased to attend the presentation of awards at the Glenhuntly Athletic Club following the club's 2012 summer season. It was a very enjoyable evening, with members' friends and family in attendance. There was a fantastic feeling of team spirit and friendship in the room. The Athletics Victoria Summer Shield was presented to Glenhuntly's division 1 male competitors by Athletics Victoria's club development officer, Tim Crosbie.

The award was very proudly accepted by the senior men's team captain, Will Little, and the team manager, Andrew Weerasekera. Andrew did an extraordinary job each week in liaising with Athletics Victoria and members of the senior men's team. As Will indicated, Andy does all this work because he wants to put something back into the club he loves and wants to help his mates enjoy success.

On the night, awards were presented to athletes from the junior level through to senior level, and I was particularly pleased to present the trophies to senior award winners Tyse Axford, Andrew Weerasekera, Anna Ross, Josie O'Sullivan and Anna Thompson.

Glenhuntly Athletic Club has a proud history of 90 years of endeavour and success, and I am very honoured to be co-patron of this great club with Ron Clarke, MBE. The club boasts an impressive record of 26 Olympians, 33 Commonwealth Games representatives, 32 Australian champions and 3 world record breakers. The club continues to focus on encouraging the spirit of teamwork and of members helping each other while always striving to increase membership to ensure that many more young adults can participate and compete in athletics events. I acknowledge the ongoing work of the club president, Max Binnington, and in particular the work of Trevor Vincent, who has for so many years been the face of Glenhuntly Athletic Club. Well done to all at the Hunters — may your successes and proud history continue.

The DEPUTY SPEAKER — Order! The member's time has expired.

Harlequin Rugby Union Football Club: 50th anniversary

Mr WATT (Burwood) — On 12 May I was invited as a guest of the Harlequin Rugby Union Football Club at a lunch commemorating the 50th anniversary of its 1962 win over Melbourne University and to support the injured players benefit fund. Just as happened 50 years ago, the mighty Quins triumphed in the matches played on the day, this time with a much more resounding result. The score of 80 to 10 in the seniors was matched throughout the day with all the juniors coming away with wins, and I thank Conway Taylor for his invitation.

Alamein neighbourhood and learning centre: grant

Mr WATT — On 17 May I had the privilege of presenting a certificate to the Alamein neighbourhood and learning centre for its successful grant of \$22 913 to help it better suit the needs of learners in eastern metropolitan region. The grant will help the Alamein neighbourhood and learning centre to expand its services, improve efficiency, offer new courses and increase the participation in and attainment of learning. I congratulate Jill Hitchcock and Margaret Jamieson on their efforts.

Police: Ashburton station

Mr WATT — The upgrade of the Ashburton police station is well under way. The \$500 000 project is part of the Victorian coalition government's commitment to delivering a stronger police presence across Victoria. The state government committed to upgrading the Ashburton police station last year, and this promise is now being cemented. The works include refurbishment and realignment of the reception area and front counter in accordance with current design guidelines. The works were part of the state government's investment of more than \$30 million in last year's budget for new and upgraded police stations.

The new look Ashburton police station will provide improved policing facilities that will help police protect and serve the local community now and for years to come. Strengthening community safety in Victoria is one of the government's highest priorities, and this unprecedented investment in law and order will ensure our police have modern, well-equipped facilities.

Higher education: spatial information services programs

Mr PERERA (Cranbourne) — With recent changes in the state budget, the only provider delivering the advanced diploma in spatial information services will no longer be able to deliver this course due to severe funding cuts. This will result in a skills shortage for infrastructure projects in the spatial and surveying area. Government funding per student contact hour for this course is \$2. The number of hours required for this diploma is 1000. The maximum number of students who can be enrolled is 25. Therefore the total government funding is only \$50 000. Every TAFE teacher teaching the advanced diploma teaches for 720 hours per year. A course that runs for approximately 1000 hours needs 1.39 teachers. The basic salary and on-costs for 1.39 teachers are around \$130 000. This shows the government's funding of \$50 000 will leave an approximately \$80 000 gap just for the teachers' salaries. If we count the cost of classrooms, administrative support, equipment charges and overheads, either students will need to pay very high fees or this program will be closed.

These qualifications are vital for infrastructure development projects, as spatial information services incorporates surveying. The industry sector has strong support in this area. It provides a pathway to a bachelor degree for spatial or surveying students. There might be a number of programs similar to this, and it would be unfortunate if these programs were slashed as it would be very difficult to start them again. The government should rethink and reconsider reversing these draconian cutbacks — —

The DEPUTY SPEAKER — Order! The member's time has expired.

Opposition: performance

Mr BATTIN (Gembrook) — Hear, hear, the member for Kilsyth — Labor just does not care!

The DEPUTY SPEAKER — Order! The time for making statements by members has passed.

GRIEVANCES

The DEPUTY SPEAKER — Order! The question is:

That grievances be noted.

Member for Frankston: conduct

Mr MERLINO (Monbulk) — Today I grieve for the people of Frankston, and for the lack of parliamentary standards of the Baillieu government. Deputy Speaker, as you are well aware, being a member of this place is an honour. It is a privilege to be a member of Parliament. It is not a part-time job. The Premier may disagree, but it is not a plaything. This is something that we devote ourselves to 100 per cent.

We are well remunerated. Whether it is through our wages or our allowances, we are well resourced as members of Parliament, with a car, with phones, with computers, with an electorate office and with staff. We get these significant resources provided by the Victorian taxpayer so we can effectively deliver on our responsibilities, which include representing the communities that elected us and advocating on behalf of our constituents. That is the responsibility of everyone in this chamber, be they a backbencher, be they a shadow minister, be they a minister or be they a leader of any of the parties in this place — that is our responsibility. We are not here to hold down another job. That is not the expectation of the voters who elected us to this great position. We are not here to profit from our privileged position. We are not here to exploit taxpayer-funded resources for private commercial benefit. We are not here to obtain financial advantage through deception, fraud or misconduct in public office.

Both the Parliament and the broader public take a very dim view of parliamentarians engaged in inappropriate or criminal behaviour, and so they should, because where there is such criminal behaviour, if found guilty, a member is ineligible to sit in this Parliament. Any member found guilty of using the taxpayer to make a profit forfeits his or her responsibility to represent their community. It is a simple proposition, although not everyone in this place may comprehend it. People vote for us to represent them, not to represent the interests of their own private business.

'Frankston has done very well out of this government', says the arrogant Premier. The people of Frankston have never had it so good, according to the Premier. The Premier is as deluded about that as he is about his contention that there is not a jobs crisis in Victoria. Unemployment in Frankston has jumped from 5.39 per cent before the 2010 election to 7.58 per cent; that is an increase of over 40 per cent. On 11 April, the *Age* reported, particularly highlighting Frankston, that Melbourne's south-east has the highest number of bankruptcies. Demographer Matthew Deacon of.id consulting said that the number of bankruptcies in

Frankston was surprising, as it was not an area of high population growth. This is his quote:

You could say that 3977 (the region including Cranbourne) has exploded, while Frankston has done almost nothing.

Is that what the Premier was referring to when he said Frankston has done very well out of this government? I am sure there are small businesses in the Frankston region that would love the opportunities that one very special business seems to have enjoyed over these last 18 months. I am sure there would be hundreds of businesses in the Frankston region doing their level best to avoid bankruptcy, hundreds of mum and dad enterprises that are struggling in this current economic environment to keep themselves and their staff employed, that would benefit greatly from some magical financial assistance. I am sure they would love a leg-up.

Think of it: deliveries made free of charge. What a boon! With a simple swipe of a card, the crippling fuel costs would be banished; they would be gone. If the cost of transporting goods interstate is holding your business back, a free of charge Ford Territory is quite good transport over long distances. A 1400-kilometre round trip to Adelaide is a breeze! You could have happy paying customers throughout our great nation under the stars of the Southern Cross — well, at least in South Australia, New South Wales and the Australian Capital Territory. This magical financial assistance could get you through the hard times. The only problem would be if this benefit were not for all businesses in Frankston but only for a few very special businesses — actually one in fact. What if this advantage is secured by defrauding the taxpayer?

The rules are very clear for the use of vehicles by members. They include:

Vehicles should not be used for commercial purposes.

Further:

It is the member's responsibility to ensure the person(s) authorised to drive the vehicle does not use it for commercial or illegal purposes.

And in regards to the fuel card, the rules state:

You must not use the card for any customer loyalty points or for a personal benefit.

There is also a more ancient rule which goes back to the scriptures: thou shalt not steal.

How outraged would the communities of Melton or Footscray or Frankston be if a member of Parliament breached these crystal clear rules? How disgusted

would they be if one of their parliamentary representatives instructed his or her commercial staff — his or her private staff — to use his or her parliamentary car for commercial purposes, not just once but repeatedly, with a rider to his or her staff that if anyone asks questions about why they are using the parliamentary car to tell them it is for personal use and not for commercial use? How disgusted would they be? If that was the case, it would suggest that that member knew the rules very well and knew what to say to try to hide their breach of them.

What about residents and individuals being able to contact their members of Parliament? This is a vital part of our work. We meet with constituents in our electorate offices and we also meet our constituents around our communities, be it at their businesses, with community organisations or at their homes. In the inner city you may well be able to get around and talk to your constituents via public transport, but in the outer suburbs, with large electorates like Cranbourne or Frankston or Monbulk, you need your car to get around, talk to your constituents and do your work.

This arrogant and out of touch Premier claims that Frankston has never had it so good. Tell that to the students and teachers at Chisholm TAFE. I refer to an article in the *Frankston Weekly*, which states:

State budget cuts to Chisholm Institute of TAFE, which includes a Frankston campus, are worse than first estimated — the damage is now more than \$25 million ...

...

The institute is the biggest training provider in Melbourne's south-eastern suburbs ...

Chief executive officer Maria Peters is reported to have said:

... given the magnitude of the cuts, it is more than possible there will be job losses and the likelihood that some of our current courses will not run.

Asked if campuses will have to close, she was quoted as having said that the 'astonishing level of cuts' risked the institute's capacity.

Given the massive and unprecedented cuts to TAFE, the community of Frankston would naturally want to engage their representative. They would want to show their local MP around the Frankston campus and have them engage with the students who Ms Peters says, and I quote:

... achieve great job outcomes or go on to further study either with Chisholm through its own degrees or through our university partners.

She would want students to talk to their local MP about the importance of the courses at TAFE.

What about schools in the Frankston electorate that have had the school component of the education maintenance allowance (EMA) slashed and families who have had their School Start bonus abolished? This has affected low-income families throughout Frankston and every single school in the Frankston region. The EMA provides direct assistance for vulnerable children to have access to basics such as books, excursions, activities and computers, and without it parents will be expected to cover these costs in full.

School communities are reeling from the decisions of the Baillieu government — this so-called good news the Premier has delivered for Frankston. Like Chisholm TAFE, schools in Frankston would want to speak to one of their government representatives; they would want a member of the government to front up to school council meetings and hear about the impact of these callous decisions. They would want their representative there, attentive and responsive. Yet it would be hard for a member to get anywhere and discharge their duties if they did not have access to their car, and certainly if rather than doing their job and engaging their community they had sent the car, packed to the rafters with commercial products, to a job delivery in New South Wales.

I cannot think of a situation in which an MP would not be aware of the location of his or her parliamentary car. We all know where our cars are. Worse than that, it would be hard for a member to visit Chisholm Institute of TAFE or any school in Frankston if they themselves were delivering the commercial products in their car. If they themselves were driving to regional Victoria — to Sale, for example — it would be hard for them to discharge their duties in their electorate.

If a member of Parliament had a commercial business on the side and one of their employees took the keys of their taxpayer-funded vehicle and disappeared to South Australia for three days, surely that would raise alarm bells. Not only would the member be left stranded at home, unable to travel around his or her electorate, the car would be stolen and the theft would surely be reported to police. The only reason why a member would not report to the police such an action by an employee would be if that action was sanctioned by the MP. Indeed, if the car were packed to the brim with commercial products to benefit the member and his or her business and it were sanctioned by the member, it would be a criminal matter.

Such a breach of parliamentary standards, such a contravention of the rules surrounding MPs' resources, such a violation of the trust between MPs and the people who elected them — such an absolute breach of the trust between the community and MPs — would appear very much to be a criminal matter. Such behaviour could be exposed firstly by people being prepared to be whistleblowers and secondly by a thorough investigation by Victoria Police.

We are elected to this place to represent the communities that elected us and to advocate on their behalf, not to be part-time MPs, not to run businesses on the side, not to use the resources of the Victorian taxpayer to make a profit and take a personal benefit. If we go down that path, we enter into criminal territory. These matters should be investigated. Given that the Speaker does not have the power to compel an MP, any other individual or any company to respond to any questions or produce any documentation, the only way to get to the bottom of such criminal allegations is an investigation by Victoria Police. That should immediately occur.

I am not talking about some hypothetical situation in which an MP uses taxpayer-funded resources to make a commercial profit; I am not talking about a hypothetical situation in which, rather than the Speaker investigating, it should be Victoria Police; I am talking about someone who should be in the chamber now but is not — I am talking about the member for Frankston. The behaviour of the member for Frankston should be investigated by Victoria Police — —

Mr McIntosh — On a point of order, Deputy Speaker, we are now straying into specific allegations. I ask you to bring the member back to the debate rather than attacking individual members of Parliament.

The DEPUTY SPEAKER — Order! I uphold the point of order. I note that the member was being careful until those last few seconds. I advise other members to be careful when they are speaking if they are on the same topic.

Former government: performance

Mr RYAN (Minister for Police and Emergency Services) — I grieve today for regional and rural Victorians at the very prospect that the Labor Party could ever return to be the government of the great state of Victoria — it would be a sad day.

The budget the government recently delivered in this very place is replete with the rationale as to why it would be a sad day if the Labor Party came back as the

government of Victoria. In the recent budget we ensured a AAA rating for the state of Victoria. We provided a surplus. We have been able to begin the task of building Victoria's budget capacity again, and we have also been able to peg the debt that would have blown out of control had Labor remained in government. All this has happened with the background of the global financial crisis and the problems that have arisen because of the high Australian dollar, but the outcome of it all is that we have now provided a strong foundation for Victoria's budget. What business and the people of Victoria need is the assurance that the state has a strong budgetary position, and we have been able to deliver it for them. Had Labor stayed in government or, worse still, if it were ever to return to government in Victoria, we would see a totally different position.

We are now having to deal with what Labor so proudly calls its legacy — and what an appalling mess of a legacy it is. We face the prospect of recurrent losses occurring in our budgetary situation in Victoria. It would inevitably have blown out to be billions of dollars in the red on an annualised basis. We would have seen the same situation as we now see in Queensland, which this year is looking at about a \$2.8 billion recurrent loss — and it will get worse. Our debt would have blown out as it is blowing out in Queensland — it is about \$65 billion now, going to \$85 billion over the forward estimates period.

We would have seen the same thing happen in Victoria, because as we well know Labor simply cannot manage money. To see this you only have to look at anywhere it has been. It is like a scourge across the budgetary management of Australia. If Labor is in government, we see appalling financial management. Whether it is Queensland, New South Wales, here in Victoria or federally — with that joke that passes for a federal budget — you see the same thing: if you put Labor into government, you get these disasters happening. It would be a black day for regional and rural Victorians if we ever saw Labor back here in government.

What about the major projects? How about the pipeline, which \$750 million went into? In this recent budget we were able to provide \$7.5 million to Mirboo North Secondary College in my electorate. If that pipeline had not been built, if Labor had not wasted that \$750 million, 100 Mirboo Norths could have been delivered — but Labor burnt the money.

What about the desal plant? About \$2 million a day will be burnt on this for the next 28 years or thereabouts. In this budget we have provided about \$15 million for a facility at Waurin Ponds, a new police station co-located with a new SES station. It will cost about \$15 million.

We could have built one of those a week for every one of the next 28 years on the back of what Labor has wasted on the desal plant. It was just appalling mismanagement, and you can ream through them.

There is myki, which we have had to rescope to fix up. There is the regional rail project — a great project but we have had to rescope it and fix it up. It would have helped if Labor had put trains into it. It was a very good idea but it would have helped if they had funded the trains. Then there are the ICT projects; another disaster where \$1.4 billion was wasted. There is the sale of the electronic gaming machine entitlements — \$3 billion down the hole. You can just imagine that if Labor ever got back into government we would see the same thing again. As opposed to that, what we now have is the strong foundation Victoria needs to be able to see its way forward.

In the midst of all of this I am proud to say that the regions have arisen. The regions are back in business in Victoria, not like they were in Labor's day. If ever you wanted to see a great demonstration of that, you could have done so at the recent regional expo we conducted at the convention centre in Melbourne. Unfortunately, and I stand to be corrected, not a single member of the parliamentary Labor Party was in attendance. I stand to be corrected, but there were certainly none that I saw on the three days I was there. It is just an indicator of what they really think. They do not care. Despite the so-called rhetoric of this last weekend at their state conference the practical fact is that they do not care. Labor does not care. They do not care at all, let alone care about the regions.

In this budget we as a government have been able to demonstrate once again the enormous value we place on regional areas of the state of Victoria. We understand that about 25 per cent of the population lives in these great areas. We understand that we are now responsible for about one-third of the state's exports. Fancy last year being able to produce about \$8.1 billion worth of exports of food and fibre from the regions. It was a fantastic effort, a great effort, and led by a wonderful minister too, I might say. That is but one example of the contribution the regions make.

We as a government are anxious to support those communities, and we are doing it in a variety of ways. There is the \$1 billion Regional Growth Fund. I was able to demonstrate to the Public Accounts and Estimates Committee only a few days ago how even at this stage through the fund's investments and influence in the five regions of regional Victoria we have about 380 individual projects running right across regional parts of the state. They are creating jobs, jobs, jobs.

They are enabling people to have the dignity of work, and it is very important that we continue these programs so that they can support that job creation and the ongoing development of those important industries.

The Regional Growth Fund is doing great things for the regions of Victoria. It was only ever a dream under the former Labor government. It could not conceivably have delivered the amount of money we have been able to allocate to the regions. Of course we have continued with the \$160 million program for roads and bridges that is being delivered to the 40 municipalities that are able to share in it — \$1 million a year for each of the four years on top of their existing funding resources. Again this is something that Labor could never ever have done because Labor does not care. It simply does not care about the regions.

There is \$630 million for the Bendigo hospital. We have added \$102 million to what Labor was going to do. Labor members just cannot get over the fact that they got done. They cannot accept the fact that we are going to build these great projects right through regional Victoria. I pause to say, going back to the desal plant for a moment, that without taking any water we are continuing to sustain losses of about \$654 million a year on that project. We could build a brand-new equivalent of the Bendigo hospital year on year for the next 28 years on the back of the money Labor has burnt.

In the area of health, many areas across the state have been the beneficiaries of our budget, and not the least of those is Frankston.

Ms Duncan interjected.

The DEPUTY SPEAKER — Order! The member for Macedon should cease interjecting in that manner.

Mr RYAN — In each of the last two budgets \$40 million or thereabouts has gone into the electorate of Frankston. It has been a magnificent outcome for the people of Frankston. Similarly when you look at other parts of the state we have many great projects starting in the health arena. That is not the least of it.

In the area of policing we have committed to the recruitment and deployment of 1700 front-line operational police together with 940 protective services officers (PSOs), and what a great story it is on all fronts. You only need to look around the state to see examples of where our strategy has been given effect. Take just one example, the electorate of Frankston, where more than 45 police officers have been added. Throughout the state this is the biggest increase in policing in one individual location since we came to

government. It is a great tribute to everybody involved, and the local member has worked hard to achieve it.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I apologise for interrupting the Deputy Premier, but I must say that if the member for Murray Valley and the member for Macedon wish to have a conversation, they should leave the chamber.

Mr RYAN — How well the PSOs policy is going. The great thing about the PSOs policy is that it is now supported by everybody in the house. The member for Altona issued a press release in February which said:

Ms Hennessy said commuters at all our local stations are missing out because the Baillieu government has bungled the rollout of what was considered its flagship law and order policy.

The fact is we are rolling out the PSOs, and what a great job they are doing. They have been at Flinders Street and Southern Cross stations, and now they are at Footscray station. They are coming to a station near you, Deputy Speaker. Ms Hennessy's press release goes on to say:

... protective service officers cannot be deployed to most local stations because the Baillieu government has failed to develop the details of the policy and invest in crucial facilities such as toilets and detention facilities.

I refer the member to the budgetary announcements we have made. It is happening. Members on the other side of the chamber do not like it; they cannot stand it. But we have provided funding for the next 66 stations, and it is going to happen. They cannot hack it.

The member for Bendigo West has also made a bit of a plea for the provision of PSOs at Bendigo. Just this week the member for Dandenong said in the *Dandenong Leader* in response to the second rollout of the PSOs at Footscray, 'Make Dandenong a priority'. I have statements about Ballarat. There are reams of them. The member for Cranbourne is out there pleading for the provision of PSOs. I am delighted to see that this far-sighted policy enjoys such generous support across the whole of the Parliament. It is a wonderful thing to see.

In the education and skills area there is \$225 million. As a state we have a proud history of being able to provide skills training for our students across Victoria, and we are going to make the whole system sustainable. Labor knew back in 2008–09 that its measures would not be sustainable. It opened up the market and could not handle it. Labor said last year, 'It is going to be up by \$100 million'. How much did the costs go up? They

went up by \$500 million. That is utterly unsustainable. We intend to put the system on a sustainable footing, because this is an important service for our students right across the regions and Victoria at large.

In relation to emergency services provision, we are building more fire stations and buying more vehicles. There is a \$200 million-plus agricultural program, including \$60 million for the future food policy. These things are vital to the future of the regions of Victoria. The great thing is that the money that is going into these regions is unequivocally, without a doubt, a record amount. We are now pumping this into the regions of Victoria. That is why I grieve on behalf of regional Victorians at the very prospect of Labor again being in government. Labor cannot manage money. We have now injected an absolute record amount of money into the regions.

What would people face as an alternative? They would have a Labor Party that had lost its way. It is a policy vacuum; it is absolutely leaderless. It is now reverting to type. It backed — do you mind? — the Construction, Forestry, Mining and Energy Union at the conference last weekend. It is now grappling with how it will defeat the Greens on 21 July in what was once one of its blue-ribbon seats. What a pathetic bunch they are on the other side of the chamber, Her Majesty's loyal opposition! It is lost in the wilderness, and may it long remain. Regional and rural Victorians well understand that electing Labor to the task again would be an unmitigated disaster. It is the coalition government which is looking after the regions, and it will long continue.

Rail: Frankston line

Ms RICHARDSON (Northcote) — Today I grieve on behalf of those commuters who rely on the Frankston train line. Members should remember that these same commuters, according to the Liberals, switched their vote at the last election based on the Liberals' promise that they would fix public transport problems, paying particular attention to the Frankston line. I grieve for those commuters because not only have they been abandoned by Victoria's weak and incompetent Minister for Public Transport but also by their own local representatives, who have electorates located right along the line and who have been equally unwilling to fight on their behalf.

Prior to the election what we saw instead from this gang of four — the Liberal members for Frankston, Carrum, Mordialloc and Bentleigh — was all talk, but ever since the election, services have actually gotten worse. That is right; those services are not anywhere

near fixed but are actually getting worse on the watch of those four members. Prior to the last election those same four Liberal members — candidates as they then were — diligently and sombrely repeated the Liberal line that they were going to play their part in fixing public transport problems on the Frankston train line. Like white knights all four members were going to ride down the Frankston line and fix all of the problems. Here we are barely 18 months down the track and those four white knights have proved instead to be the four horsemen of the apocalypse when it comes to public transport.

Despite all of the problems that existed on the Frankston line prior to the last election, it would have been difficult to find a commuter who thought the problems could get worse. But that is exactly what has happened on the watch of these four Liberal members. In the absence of strong local representation, and of anyone standing up for the interests of local commuters, the Liberal minister has cut, slashed and burnt his way along the Frankston line without so much as a squeak from those Liberal MPs.

Moreover, while all four members have been studious in their neglect of Frankston line commuters, two of the four, namely the members for Mordialloc and Frankston, are truly in a league of their own. If only their ability to draw headlines were done on behalf of Frankston line commuters! Take, for example, the Liberal minister's decision to axe Labor's premium station upgrade program. Under that \$54.9 million program another 20 stations right across the network would have received staff from first to last train and amenities, like toilets, for commuters. They would have been open all day, not just for a couple of protective services officers (PSOs).

Along the Frankston line Labor planned to upgrade Seaford, Chelsea, Parkdale and Highett stations. That would have been a great result for Frankston line commuters. It would have been so great in fact that prior to the last election the then opposition spokesperson agreed with the plan. Indeed he promised the president of the PTUA (Public Transport Users Association) that a Liberal government would continue the program. Despite the promise, the minister announced that the Liberal government, elected on the back of the votes from Frankston line commuters, would scrap the program. No upgrade for Seaford, no upgrade for Chelsea — —

An honourable member interjected.

Ms RICHARDSON — I will get to that. No upgrade for Parkdale, and no upgrade for Highett

station either. The betrayal prompted the PTUA's president to tweet to the minister that he had lied to the PTUA. Hundreds of commuters have petitioned this Parliament calling on the minister to restore that program and upgrade these stations. But tellingly the members for Frankston, Carrum, Mordialloc and Bentleigh have stayed mute, and the minister has failed to deliver the upgrades.

Of course this year's budget rubbed further salt into the wounds of Frankston line commuters when it was revealed that the premium station upgrade program money would be used instead to install the most expensive toilets in Victoria for the exclusive use of PSOs at \$268 000 a pop. You would think these Liberal MPs would be outraged by these golden loos in the same way Victorians were outraged when Labor revealed the Liberals were giving new meaning to the phrase 'flushing money down the toilet'. Enter the age of the golden loo, however, and again not a peep out of the Liberal members for Frankston, Carrum, Mordialloc and Bentleigh. Instead of standing up to the public transport minister and demanding that those premium station upgrades go ahead and that the golden loo program be scrapped, they have instead been happy to go along for the ride.

Members do not have to take my word for it; they can take these four MPs at their own words, or rather the lack of any words from the gang of four. A very disappointing thing happens if you hop on the net and search for any media or online responses from these four members about the cuts to the premium station program in exchange for the golden loos. Not only do you not find a single utterance of concern from any of them but you do find a Liberal ministerial mouthpiece — these are the ones who were going to end the spin — and all he says is that he cannot confirm whether the premium station program is going to be axed or not.

Instead of going out to their local media and defending the decision of the government, these MPs have trotted out a spin doctor to try to put up a smokescreen to hide the facts. This hand puppet of these four, this ministerial spokesman, went on to say, 'Not to worry, though; don't worry about it. What we're going to do is we're going to deliver PSOs to the Frankston line, because we understand how dangerous it is to travel on the line'. Remember that it was safety on the Frankston line that those opposite had trotted out as their main concern. The then new member for Mordialloc said in November 2010, 'Parents are finding the kids feel unsafe', or 'Women are feeling unsafe on the trains'.

The member for Frankston said the two main issues in Frankston were law and order, and transport, and that was why he was committed to providing two PSOs per station. The trouble with that is that whilst prior to the last election he was out there with the then Leader of the Opposition, now Premier, on the Frankston line highlighting all of their concerns about safety on that line, if you do an online search and type in his name and 'PSOs' or words referring to safety on the Frankston line, the one reference that comes up since his election to Parliament is this one, which appears in the comments section of a story in Mornington Peninsula media about the new PSO graduates heading to inner city stations. The comment reads:

Where's Frankston share, Frankston MP Geoff Shaw said that Frankston would be first up. Let down again Mr Shaw.

Indeed we have been seriously let down by the member for Frankston.

Today we heard the Deputy Premier making references at length to members on our side of the house calling on the government to deliver its PSO policy, particularly along the Frankston line. We heard the passion from the Deputy Premier on this point. The fact of the matter is, however, that you will never hear anyone on that side of the house calling on this government to deliver its policy, particularly in relation to the Frankston line. Why is that? Why are those opposite not jumping out of their seats and demanding in their local media or even in this place that PSOs be delivered on the Frankston line? I would urge the Deputy Premier to turn his attention back onto his own backbench, which needs to be doing its job.

It is not as if you will not get a flood of other headlines if you type the member for Frankston's name into an online search engine. In fact you get a rush of headlines, including 'Baillieu MPs rocked by scandal', 'Taxpayers billed after official car used to make deliveries', 'Moonlight polmie under fire' — and on it goes. There is another Frankston headline which is not that extraordinary when you consider that staying mute appears to be a time-honoured tradition for Liberal MPs in the south-east. It was in the *Frankston Standard Leader* — 'Local Liberals keep quiet about Geoff Shaw'. The best we can say about that is that at least it is consistent with anything those opposite have ever done on public transport — that is, they are consistent in keeping quiet.

Let us not forget the member for Mordialloc, who has also done her very best to secure some media attention — not on behalf of commuters, I hasten to add. Do members remember this headline? 'Victorian Liberal MP Lorraine Wreford in hiding overseas'. If

you were a commuter on the Frankston line, you would struggle to know the difference. A member for Eastern Victoria Region in the other place, Matt Viney, said to me recently that the member for Mordialloc must be the only member of Parliament whose constituents are very happy with the knowledge that she lives outside her electorate.

There have of course been other concerns along the Frankston line and other opportunities for the four members to stand up on behalf of commuters. The next blow to Frankston line commuters came in the form of the Minister for Public Transport's new timetable, which was introduced last year. The Liberals' press releases certainly sounded positive. Extra peak-hour trains, it was claimed, would reduce overcrowding and result in more reliable and efficient operation of the Frankston line. That is why commuters standing on the many stations along the Frankston line would have been confused and shocked when, following the introduction of the new timetable, not one extra train arrived to take them into the city during the morning peak.

How could that be? The devil is in the detail, as the saying goes, and the details of the Liberal minister's timetable certainly are devilish. Close inspection of the new timetable reveals that the morning peak-hour train that the Liberals claimed was going to help fix the problems during the peak-hour crush is in fact running in the wrong direction. That's right — every morning, as Frankston line passengers scramble to head towards the city during the morning peak hour, the minister's fabulous new train hurtles past almost empty in the opposite direction. For the benefit of the local Liberal members, and clearly for the benefit of the Minister for Public Transport, that new service he wants to spruik about actually leaves at 6.33 a.m. going from the city to Frankston. It is not, by anyone's definition, a service that will improve the peak-hour crush. If the member for Bentleigh wants to pop down to Highett station at about 7.10 a.m. on any weekday, she will be just in time to watch the minister's one peak-hour morning train hurtle past, practically empty, in the wrong direction.

The so-called extra peak-hour train services in the evening are no better. There are four new so-called peak-hour services in the evening. The trouble is that one goes from Frankston to the city at 5.52 p.m. That is great if you are heading that way, but it is not great if you are trying to deal with the peak-hour evening crush. The other three all leave the city prior to 5.00 p.m., which, the last time I checked, was actually the finishing time for the overwhelming majority of city workers. No doubt the Frankston line MPs, who clearly

have a casual relationship with hard work, have struggled to understand why these new services do not actually benefit commuters. Things are so crook, the situation prompted this headline in the *Herald Sun*: "Empty peak-hour trains" cost taxpayers \$2 million'. That is because we pay exactly the same amount of money for trains that run into or out of the city during the peak-hour crush. And if you total up all those services, you find that those on the Frankston line and right across Victoria all pay the same amount of money to Metro.

What about improving punctuality on the Frankston line? Well, the minister has an answer for that too. What he has done is quite cunning, in fact. He has added time to services so that it actually takes longer to get to the city or to get home at night. It does not matter if your train stops at a station to wait for the timetable to catch up, so long as Metro can hit its timetable targets. That is what we want to see — we want to see Metro getting its big performance payments, and that is what we have seen. Four million dollars has been delivered to Metro as a consequence of the new timetable.

Members on the other side want to take the benefit of the support from constituents in their areas, but those constituents have actually been punished by the new Liberal government. They have seen their loop services cut, requiring them to change trains to get to loop services; they have had time added to their services; and they have had trains added to the system that run in the opposite direction to the peak-hour crush — in every instance on the Frankston line, might I add. And the government has cut the premium station program and added the golden loos instead. These are not for commuters, I hasten to add; they are of course just for the PSOs.

You would perhaps think that the member for Frankston at least would understand the need to have a good public transport system. You would think he, who is so often left without his car and who has to rely on the public transport system, would perhaps get the need to have an efficient and reliable public transport system — that he would be its strongest advocate. But in fact he is not. And, can I say, your record in Parliament is equally disgraceful. If we add up the total number of times you have actually raised the issue of public transport in this place since you were elected to Parliament — —

The DEPUTY SPEAKER — Order! Through the Chair!

Ms RICHARDSON — We find that out of the total 473 times that these members have risen to their feet,

they have raised the issue of public transport just 17 times. That is just 3 per cent of their time in this place they have spent arguing on behalf of public transport users in Frankston. It is a disgrace.

The DEPUTY SPEAKER — Order! The member's time has expired.

Former government: financial management

Mr WELLS (Treasurer) — I am here to grieve for Victorians who suffered under the Labor government during its 10 years in office. The Baillieu government inherited a financial mess, and every former minister who sat around Labor's cabinet table should hang their head in shame. We had a situation in which the budget was unsustainable. That is the position of the Department of Treasury and Finance and of the independent review headed by Dr Mike Vertigan — that we had a situation where every year the government was spending, on average, more than it was receiving in revenue. We had the mismanagement of major projects — we had myki and we had the desalination plant, the Melbourne Markets and HealthSMART.

'Labor cares'; Labor cares about what? That is the new Labor slogan. Do Labor members care about the carbon tax? We do not actually know where they stand on the carbon tax, so let us assume that they support it. Labor cares that the individual manufacturers in this state are going to be hit hard, and very hard, by the carbon tax, with increased power prices. It cares about the industrial relations that are crippling small businesses. Where does it stand on the east-west link? We have a city the size of Melbourne, with about 4.9 million people, and yet we do not have a ring-road. What do state Labor members do? They come out to oppose. The only reason they are doing that is to appease their Green mates in the state seat of Melbourne. Where do they stand in regard to occupational health and safety? They are all over the place. But the no. 1 blueprint for their economic policy is that we should have another public holiday — that is it.

Let us talk about the four pillars, because I know the member for Williamstown considers this to be very important. What does this budget do? It delivers a stronger economy. It is a responsible budget, delivering surpluses that will build up to \$2.5 billion, and that means we will be able to use our own money to build infrastructure. The previous government kept putting things on the credit card and going further and further into debt; this government has had to stop that irresponsible policy.

We will build up surpluses and use that money to build infrastructure. We have had to improve productivity. The point we keep making over and over again is that in the 1990s under the Kennett government we had above national average productivity, but because members of the previous Labor government would never stand up to their union mates — not once did they utter the word 'productivity' — we have now fallen below the national average. It is one of the priorities we are working on addressing. It is about cutting red tape, it is about boosting skills — —

An honourable member interjected.

Mr WELLS — Yes, I will get to that. And it is about having a wages policy which is responsible. It is about economic development and growth. It is about growing businesses, growing and investing in manufacturing and agriculture. It is about getting into the Indian, Chinese and South-East Asian markets, and it is about helping industries transition to being more efficient.

What is the summary? What were the highlights of the budget? Despite everything that was thrown at the Baillieu government we have delivered a surplus of \$155 million. That will build up to \$2.5 billion, and that is important. We have a record state-funded infrastructure spend of \$5.8 billion. We have net debt declining to 6 per cent of gross state product by June 2016, and despite what is happening right around the world Victoria has been able to maintain its AAA credit rating. We have also reduced business costs and are protecting the most vulnerable in the community.

As I mentioned earlier, when you look across the world at what is happening in the euro zone, this government, by contrast, has the priority of living within its means and improving its growth forecasts. In just the last six months GST and stamp duty revenue have been written down substantially. It is the same across all the other states — we are not alone in this — but on average we are losing about \$750 million a year from write-downs in GST and state taxes, and since the 2010 state election the GST revenue forecasts have been reduced by \$6.1 billion. So we have had to make difficult decisions, but we maintain that this is a tough but responsible budget. When you combine GST and stamp duty we have lost \$7.6 billion over four years. This is a bigger revenue write-down than what occurred during the global financial crisis, but this government was still able to deliver a surplus.

When you look at what happened from December 2011 and look at government budget updates and the strength of the financial situation in Victoria, you find that on

aggregate over the forward estimates to 2014–15 Victoria is in the strongest financial position, followed by Western Australia. That is significant. When we brought down our budget, it had built up aggregate surpluses of \$4.7 billion. Western Australia's budget has built up \$3.2 billion, but when you look at the aggregates on the federal scene over that forward estimates period you are looking at a deficit of \$14.9 billion.

Does Labor care? I do not think so. We have lost out in the commonwealth budget. We wanted \$30 million for further planning for the east–west link, but the federal Gillard government could not find one dollar to put into that important program. Yet when it came to advertising and spin, it was able to find \$36 million to spend on advertising the carbon tax, although it still does not mention the words because it is ashamed of them.

Our infrastructure projects: the east–west link, the Melbourne Metro tunnel, which was supported I believe by the previous government —

An honourable member interjected.

Mr WELLS — Do you still support it? We don't know. We no longer know if Labor supports the Melbourne Metro tunnel, which was an idea put forward when it was in government. The port of Hastings and Avalon Airport projects also need a commonwealth contribution, yet there was not one cent for them in the budget.

This is an important point: over the period that Labor was in government expenditure was on average 7.3 per cent. Revenue at the same time was only 6.9 per cent, so they were going further and further into debt. We have addressed the situation and we have been able to reduce that expenditure in 2011–12 from 7.3 per cent to just 2.7 per cent — that is significant — and expenditure will average 2.9 per cent.

It is interesting that some commentators are trying to rewrite history. I would have thought that this particular person would make sure that his numbers were right so that when it came to shafting the Leader of the Opposition he would have his numbers right. It is the same person we can blame for the desalination plant. His budget reply speech shows that he either does not understand numbers, does not understand the budget or is simply incompetent. When it comes to numbers he simply does not get it; he simply does not understand. This is the embarrassing part. He accuses me of peddling a myth and then tries to back it up by saying:

... Victoria's revenue and expenditure growth pretty much —

I am not sure what economic term that is —

paralleled each other over Labor's period in office. This can hardly be a revelation to the Treasurer ...

Well, it is, because it is factually incorrect. What he was saying was that they were pretty much in line, and he referred to netting out the stimulus package. Let me inform the shadow Treasurer that the stimulus package came in only when the global financial crisis arrived.

Let us look at the very first budget year that Labor was in government — 2001–02. Expenses grew 5.9 per cent and revenue was up by 7.3 per cent, and in the first year Labor had the \$1.7 billion surplus left to it by the previous government. Let me then look at 2002–03. Revenue was up 6.1 per cent and expenses were up 6.8 per cent. Just in Labor's second full year it started the struggle of not living within its means. Let me look at 2003–04 — I do not think there was a global financial crisis; in fact, things were travelling pretty well. I will just correct the shadow Treasurer. Revenue grew by 5.2 per cent; expenses, 7.7 per cent. Let me look at the next year, 2004–05: revenue was up by 5.1 per cent; expenses, 5.9 per cent.

Labor cannot live within its means. Labor can never ever manage money. The shadow Treasurer simply cannot get his numbers right — and we saw that with the desalination plant — and stated that expenditure and growth pretty much paralleled each other. That is simply factually incorrect. It is not pretty much incorrect; it is factually incorrect. As soon as Labor finished spending the money we had left behind — the \$1.7 billion in surplus — it started going back to its old ways of not being able to manage money. That meant expenditure growth was higher than revenue growth. That is just typical.

Had we not taken the action we have taken, it would have meant that the deficit for this year, 2012–13, would have been \$4 billion. If expenditure growth remained constant at 7.3 per cent and the revenue fell away, that is what the deficit would have been. But by 2015–16 that would have built up to \$10 billion — through a lack of action. There would have been an escalation in debt. Debt would have blown out — based on no change of policy — to \$60 billion. Labor of old! That is a dreadful situation.

Let me look at some of the things we have been able to deliver, despite the budget situation. In the portfolio of the Minister for Public Transport we have been getting rid of the level crossings, which Labor could only ever dream about doing. We have put the money in to get rid of the level crossings at Springvale Road, Springvale, and at Mitcham Road and Rooks Road in Mitcham —

crucial. We are constructing the Dingley bypass, which is significant, and the Koo Wee Rup bypass. We are funding the Ballarat Western Link Road; funding the Stud Road duplication; and providing additional maintenance funding for the West Gate Bridge — not money for the fairy lights, but actually putting money into maintenance to make it a better working, safer road.

Despite all this we have been able to cut WorkCover premiums by 3 per cent. That is a great boost for every Victorian business. We have been able to invest in hospitals and in health. We have provided more beds and we are building hospitals — in Bendigo, for example — that are crucial to this state. In the justice and community safety portfolio there is more money for legal aid and for the management of serious sex offenders, so strongly pushed by the Attorney-General. We are increasing prison capacity. We came to office in 2010 on a commitment to be tough on law and order, and I am positive that the Victorian community now feels safer as a result of our policies. But the other part of the equation is that we need somewhere to put these criminals, and we are building more prison capacity. This is a tough budget but a responsible budget, and it puts us on a strong footing for future years.

Member for Frankston: performance

Mr PALLAS (Tarneit) — I wish to grieve today for the people of Frankston and the south-eastern suburbs of Melbourne and for the continuing erosion of the levels of infrastructure they clearly need. There is also the need for improved parliamentary standards in this place. It is important that we recognise when looking at the capacity to deliver on infrastructure within a community that that community needs good, strong local representation. There is no better demonstration of that than what a local member delivers for their community.

The Premier has made it clear that so far as local representatives, particularly in Frankston, are concerned, they are doing a good job. He has made it clear that they are delivering for Frankston. Well that is not actually the case. They are not so much delivering for Frankston as delivering from Frankston. This is a government that is seeing that jobs are moving further and further away from the grasp of the ordinary people in the Frankston community. We have seen the increasing erosion of employment in this community and the increasing loss of job opportunities — for most, but not all. Since 2010, unemployment in Frankston has gone from 5.89 per cent to 7.58 per cent. We have seen an enormous increase in unemployment, going well above the 5.3 per cent, which is the current state

average. This is a telling indictment of a government that paraded itself as being able to fix the problems and to build the future. Little building and little fixing is going on in this area. This is not so much about a community that is being serviced by its members as it is about a member who is servicing his own personal desires and aspirations.

This member falls into the category of a *Dude, Where's My Car?* member in a *Dude, Where's My Government?* population. The people of Frankston are sitting back and looking and wondering when they will be getting something more than the moonlighting and merriment that constitute the standard operating procedure of this member. Over the time of the previous Labor government, in the area directly concerned, the Frankston area, we saw something like \$90.4 million invested in arterial roads — arterial roads only, I say. We also saw the development and ongoing delivery of the Peninsula Link, which should be completed by the end of this year or early next year at the latest. That will, of course, be — —

Mr Watt interjected.

Mr PALLAS — I hear from the member at the back that this is a project that those opposite would now like to take credit for. But I recall there being many critics of elements, if not the entire concept, of this project from those opposite over a prolonged period of time. It is good to see they have got on board in delivering Labor's committed project. Of course the people of Frankston will be better for it. But they need more than that. They need more than just the long tail of the effort and aspiration of the previous government; they need a government that is actually concerned about their welfare and their wellbeing — a government that is prepared to commit and to deliver real outcomes. We need in this place a government that not only lives up to its own expectations and aspirations but also honours the electorate in terms of the benefits and recognition it provides through the high office it holds, as well as a government that is prepared to stand up and do the right thing.

In this place doing the right thing has been a tenet of faith for those opposite. They have consistently spoken about the need for openness and accountability in this place. In his inaugural speech in this place the member for Frankston stated:

I am glad to be here as part of the new coalition government that knows the difference between righteousness and self-righteousness, in a place where truth is no longer on the endangered species list ...

He said on 14 June 2011:

It is very simple, and it is something those opposite do not understand — delivering promises and telling the truth. It is a very fine line for them to understand.

We would hope ultimately those who have adopted such high levels of probity and accountability and self-righteous indignation — directed to those on this side of the chamber — would hold themselves to account, not only for their words but also for their actions. Let us hope that the people of Frankston and the south-east have exactly the same assessment of them. They might ask, ‘Have you lived up to your own code of conduct — not in terms of the language that is encapsulated within that code, but in terms of the actions that you have delivered for us and the way you hold yourself accountable?’. Clearly when we talk about actions and when we talk about delivery, we can say that this is a government that has delivered very little for the community.

If we look, for example, at the area of new funding for Frankston, we see that there is some new capital funding for Frankston. The Peninsula Link speed cameras get \$9.5 million from the Department of Justice. It is interesting to see that those opposite have recently become converts to the idea that you should be able to increase revenue through the use of a greater level of law enforcement. In fact they have become such great advocates for it that the Treasurer was before the Public Accounts and Estimates Committee recently extolling the virtues of being able to catch lawbreakers, whether it be through speed enforcement or other forms of revenue allocation, in order to ensure that those who did the wrong thing were brought to account.

This is surprising. I say that because if we go back to 2005 and 2006, we then had advice from the Auditor-General telling us exactly that — that the use of speed cameras actually drove down the road toll, and the principal motivation for putting them in place was to save lives. We have not disputed that because we adhere consistently to the values we espoused in government and to the ones that we have taken into opposition. It is about a consistency of approach and purpose; it is not about jumping on any bandwagon of disillusionment and anguish in order to garner as many votes as you can. However, the people of Frankston must be wondering whether these are the same people who told us when they were in opposition that it was all about revenue raising. Are they now, by their own application, essentially — —

Mr Mulder interjected.

Mr PALLAS — We hear from the Minister for Roads that he now has much more accountable systems in place. Exactly what are those measures of accountability? Not much! He essentially has a road safety camera commissioner who can, on referral from the minister, look at issues of systemic concern. However, if one aggrieved member of the public wanted to say, ‘I’m down in Frankston, and I got hit with one of your revenue raising tactics and I think your revenue raising tactic is effectively defective’, the minister would say, ‘Well, unless I consider it systemic, this commissioner won’t be looking at it’.

Mr Mulder interjected.

Mr PALLAS — There we have it, an admission from the minister that that is what he thinks of the people of Frankston — that they are now milking cows rather than recipients of the benefit of a government that should be thankful for the faith that they have placed in it.

If we look at the other cuts that this government has put in place in respect of the community in Frankston, we see that the TAFE cuts are some of the cruellest and most inhumane. Job losses and course cancellations are likely to follow. I hear from my colleague that he is going to touch on that issue with alacrity, so I move on quickly.

Mr Merlino interjected.

Mr PALLAS — The member interjects, ‘There can never be enough’. If there is never enough, I will keep the good times rolling, which obviously the government is not doing. One thing I will say is that if you look at the job losses and the course cancellations that are likely to occur, you realise that you could not pick a worse area to get involved in. If you cut back skill acquisition in an area with one of the highest levels of unemployment, you consign future generations to a deprived opportunity for skill enhancement, job improvement and ultimately, as statistics tell us, the real practical opportunity to find work and also to have a skill that can be used right across the workforce.

We have seen that the state budget cuts to Chisholm Institute of TAFE, which includes the Frankston campus, are worse than was first estimated. Now we are looking at something like \$25 million in cuts, up from the \$20 million that was originally anticipated. The chief executive officer of the TAFE, Maria Peters, has said that the institute’s closer analysis of the state budget showed an estimated loss of \$25.5 million — and that is on top of the \$4 million cut from the state

government last October. The TAFE has said that with the magnitude of the cuts:

It's more than possible that there will be job losses and the likelihood that some of our current courses will not run.

Those comments were accompanied by the observation that these were astonishing levels of cuts in a community where unemployment has effectively risen by 40 per cent, to use the words of the Deputy Leader of the Opposition.

These matters also need to be taken in the context of a community that is suffering economically and a community that requires the attention and earnest efforts of the government to address those concerns. We know that the south-east of Melbourne has the highest tally of bankruptcies of any community. More than 180 bankruptcies have occurred in that community in the postcodes that cover the area from Carrum to Frankston in the 12 months to 30 June 2011. Demographer Matthew Deacon, of.id consulting has said that the number of bankruptcies in the Frankston area was surprising as it was not an area of high population growth. He went on to say that:

You could say that 3977 ... has exploded, while Frankston has done almost nothing.

It has been stated that this is an area of high socioeconomic disadvantage. We have massive growth there and there is a need for government to support it with infrastructure. What have we seen in support from the government for infrastructure? More speed cameras and effectively little else over and above that.

If we look at the Victorian certificate of applied learning (VCAL), Frankston High School has advised that it will be forced to eliminate the VCAL program entirely because it is unable to make up the \$46 000 that will be cut from that school's budgetary allocation for coordination funding.

If we look at health, the Baillieu government has clearly slashed spending on health and the building program. It has failed to keep its election commitment to open a new Monash Children's hospital by the end of its first term, according to the 2012 state budget papers. This will mean waiting lists for elective surgery will balloon and Victorian patients will be waiting even longer for care. Only \$7.3 million was delivered in this budget for the Monash Children's hospital, which will mean 30 000 children in Melbourne's south-east will be made to wait even longer. The Australian Medical Association has warned Victorians to avoid Frankston Hospital, one of the largest in Melbourne, after it closed a 30-bed ward due to a lack of government funding.

When all this is happening, one would have thought that the local member would have been fastidious in making sure that his primary and sole efforts were about the wellbeing and welfare of his community. We know this. But the Liberal Party's website extols the virtues of the member for Frankston, saying:

Geoff's real-life experiences of starting and operating businesses, employing team members, and being actively engaged in the community ... will allow him to help advance and protect the interests of the people of Frankston.

His skills in employing team members and being actively engaged in the community have gone a long way! The website for Geoff Shaw and Partners, Accountants and Business Advisers, says that it:

... is located on the Nepean Highway with views over the Frankston foreshore. We offer friendly service, great rates and, of course most importantly, excellent advice.

The advice that the people of this community want is not abuse, not second jobs, not sanctimonious pontificating about what is the truthful and just way to conduct yourself; it is about people living up to their own philosophy and mantra. That is where this member has fallen far short of the levels of accountability this government has set for itself.

Building industry: productivity

Mr CLARK (Attorney-General) — I grieve for the rising costs and falling levels of productivity in the building and construction sector in Victoria. I grieve for the failure of the federal Gillard Labor government to recognise the need for action. I grieve for the opposition of the state Labor Party in Victoria to efforts for reform and its endorsement of some of the worst elements of militancy within the union movement that threaten to take Victoria's building and construction industry backwards.

As the Premier and the government have made clear for some time now, escalating construction costs are a national challenge that need to be placed on the national agenda. Those costs are making it harder for government to meet the nation's infrastructure needs. As a consequence they affect the cost of housing, the future of our cities and the ability of our citizens to obtain homes for themselves and their families. Addressing the issue of escalating construction costs is vital to relieve productivity constraints on economic growth. These constraints are not limited to one part of the industry; they are present across residential, commercial and infrastructure sectors. They create a problem not only for governments and businesses but also for individuals.

These are not just the views of government; they are the views of respected commentators and industry representatives. Robert Gottliebsen, a very well-known business commentator, has written a number of columns pointing to the threat not only to building and construction in Victoria but to the national mining sector and construction in that sector because of the consequences flowing from the poor industrial relations practices of the previous Labor government here in Victoria.

That is something that has been backed by other commentators, such as Ken Phillips in the *Business Spectator* online news magazine, where he points out:

... the wealth of a nation is built on the productivity of its people ...

... the efforts of single companies are unfortunately being swamped by declining productivity across the economy and in critical sectors.

He singles out the building and construction sector when he says:

My wake-up call happened when I saw unpublished statistics from one of Australia's largest construction firms. The graphs plotted a simple item, company revenue per worker. It showed a worrying downturn in late 2007 and a sharp drop since 2009. By late 2010 construction productivity was significantly below 2004 levels and declining.

He linked that to actions coming from the Rudd-Gillard federal governments in terms of action undermining the Office of the Australian Building and Construction Commissioner and the rules it applied to construction tenders.

More general economic commentators are also making very similar points. I refer to an article by the well-known commentator Tim Colebatch that was published in the Fairfax media on 17 April this year, where he talked about the soaring cost of grade separations and that if a simple grade separation was to cost \$165 million, how much would it cost to achieve the grade separations across the metropolitan area that the Minister for Public Transport and the government are working so hard to achieve? He says:

Our construction costs, according to the Building Council of Australia, are now 40 per cent higher than those in the US, let alone in Asia. Construction costs in the past decade grew twice as fast as inflation.

Folks, we have a big problem. As Premier Ted Baillieu put it last week, 'Escalating construction costs are pricing us out of infrastructure'.

We pay for the infrastructure. We suffer if the housing we'd choose is unaffordable, or is not built because it would cost more than buyers could afford to pay, or if the infrastructure we need is not built because it costs too much.

We suffer if building costs are out of control. That is why we should welcome the Baillieu government's moves to try to bring them under control.

He then went on to refer to the persistent efforts by the Victorian Premier to get the federal government and our Prime Minister to agree to a Productivity Commission inquiry into why Australia's construction costs are so high. He cites former Australian Council of Trade Unions president Martin Ferguson, now the federal Minister for Resources and Energy, who he says:

... voiced alarm over Australia's declining construction productivity and 'significant cost increases', including a 24 per cent slump in productivity at one firm.

These are serious problems that threaten national growth and national wellbeing. Action on them by the commonwealth government is needed, and the tackling of these problems needs support rather than being undermined by the state opposition. These problems are ones that the Victorian government is attempting to tackle on many different fronts. As I mentioned earlier, the Premier virtually since coming to office has been urging action by the commonwealth government. We had at least some signs of tentative progress at the most recent Council of Australian Governments meeting following strong pressure from the Victorian Premier, business leaders and indeed premiers of other states.

The Victorian government's submission to the Fair Work Act review added detail to the wide range of problems that the construction industry is facing in terms of declining productivity. It referred to increased claims for enterprise agreement clauses that regulate the engagement of contractors and labour hire employees, the restrictions on provisions related to greenfield agreements, the effects that good faith bargaining obligations in the way they have been implemented by the federal Labor government have had in adding to the complexity of the bargaining processes and the problems with a growing recourse to pattern bargaining across the building and construction sector.

Our submission highlighted rising levels of industrial disputation and referred to the clear downward trend in construction industry multifactorial productivity growth rates. It referred to the fact that our productivity performance is uncompetitive when compared to the United States. It also outlined the actions the state government is taking to do what it can to promote a more productive agenda, including a more competitive business environment, fiscal sustainability and efficient taxation, a targeted industry and innovation policy, enhancing infrastructure provision, investment in skills

and reform of education and training, and efficient government service delivery.

The problems I have mentioned have been endemic in the building and construction sector. The Office of the Australian Building and Construction Commissioner, which the Gillard government is regrettably abolishing, has made reference to the fact that pattern agreements struck in the building and construction industry do not meet the challenge of the productivity agenda. By definition they are not negotiated at the enterprise level: they are not tailored to the needs of the enterprise and to its particular employees. This is not from the commissioner appointed by the Howard government; this is from the new commissioner appointed by the federal Labor government. We have been pushing at a national level for action, and we are starting to get at least a little headway there.

However, the point needs to be reinforced that the building and construction industry is integral to both the national and Victorian economies. It is crucial to the livelihoods of citizens through the provision of housing and public infrastructure as well as of jobs. It is one of the largest employers both nationally and in Victoria, yet the problems continue to mount. We continue to see a backsliding towards the bad old days, with industrial disputation running well above the national industry average levels around the nation, and of course if we were to return to those days we would get a further drain on productivity and economic performance.

Action has been desperately needed. Regrettably the Gillard government has been going backwards with the moves that I have referred to of abolishing the Australian building and construction commissioner, of bringing in a neutered Fair Work inspectorate, of changing the national guidelines for the building and construction industry and so forth. That is why the Baillieu government has been doing what is in its power to do to try to step in and fill that gap. As the house will be well aware, we have introduced new guidelines to reinforce appropriate practices and to promote productive and law-abiding workplaces here in Victoria that require those who tender for Victorian government business to commit to arrangements that will prohibit sham contracting and arrangements to avoid legal obligations, prohibit coercion or pressure to make over-award payments, require firms to act against unlawful industrial action and require firms to uphold freedom of association and the right to join or not to join a union. Those are being backed up with a strong and effective construction code compliance unit headed by Mr Nigel Hadgkiss, who was formerly the deputy to the Australian building and construction commissioner. The unit will make sure that in this industry, which

regrettably above just about every other sector needs strong enforcement, as its track record shows, there is strong enforcement of decent and appropriate standards on work sites in Victoria.

As I pointed out to the house yesterday, this is consistent with what our current Prime Minister used to say when she was the federal minister for industrial relations, who at that time promised a tough cop on the beat and joined in deploring thuggishness, balaclavas, intimidation and lawlessness on building and construction sites in Victoria. Unfortunately those words have quickly been forgotten, and we have now seen in recent times the Leader of the Opposition in Victoria come out with a full on attack on attempts to ensure decent standards, law-abiding standards and productivity in Victorian workplaces. He has committed the state Labor Party to a return to the bad old days.

As the *Australian* newspaper put it in an article of 19 May:

Victorian Labor leader Daniel Andrews today gambled on dumping the state's new construction industry watchdog at the same time as embracing the work of the militant Construction, Forestry, Mining and Energy Union.

That, I have to say, says it in one sentence. Understandably industry groups are just appalled at the path which the Labor Party has threatened to take Victoria down if it were to be returned to office. As Brian Welch of the Master Builders Association of Victoria put it in a media release of 19 May:

Victorians deserve to see investment in major road and rail projects, new schools and better hospitals, but our industry will be hampered in building this much-needed infrastructure if Mr Andrews and his union mates get their way.

What is the opposition leader more interested in? Standing up for Victorian jobs or serving the Trades Hall Council's sectional interests?

That is the question that those opposite need to answer. They are threatening to take the state in entirely the wrong direction. They are threatening to go back on much-needed reforms that will fill the gap that federal Labor is opening up. As I say, these reforms have been welcomed by employer groups around the state. They have been welcomed by the Victorian Employers Chamber of Commerce and Industry, which has applauded the state government for taking steps 'to address the culture of construction industry lawlessness that has impacted major projects in Victoria and led to cost blow-outs as well as delays in completion'.

The Australian Industry Group has similarly been supportive of these reforms. Well may it be, because I

am sure that, like most Victorians, its members remember the dreadful legacy left by the previous Labor government when it failed to stand up to union militancy, when it condoned poor work practices such as were seen at the National Gallery of Victoria, and the practices the former government entered into with appallingly managed projects such as the Southern Cross station building, the Melbourne Markets relocation, and of course the West Gate Bridge debacle, which I referred to earlier. There is nothing that would better guarantee a return to massive cost blow-outs, which are the legacy of the previous government, than to abolish the new guidelines that the coalition has introduced and to scrap the construction code compliance unit.

Those opposite do need to indicate what they actually stand for. They need to indicate whether or not they truly care, as they purport to in their new slogan. As I said yesterday, if they really cared, they would not be opening the way to a regime of balaclavas and thuggery in Victorian workplaces. If they really cared, they would be standing up for Victorian workers and for Victorian families rather than aligning themselves with the worst elements of the Construction, Forestry, Mining and Energy Union and doing the bidding of Trades Hall. The government rejects that approach entirely. We have committed to do all in our power to ensure productive and law-abiding building sites in Victoria, and that is what we intend to do.

Higher education: TAFE funding

Mr HERBERT (Eltham) — I grieve for the people of south-eastern Melbourne who are trying to access training and who need to get a job in the face of the Baillieu government's savage cuts to TAFE. I speak here following the Attorney-General's contribution. I will try to keep away from the Cold War era and try to talk to contemporary things that are happening in Victoria; I will not hark back to the anti-union, antiworker attacks we have seen so often from this government.

The south-east of Melbourne has already been left languishing by the government's cavalier abandonment of the south-eastern tertiary plan. On top of that, training organisations such as Chisholm and Holmesglen TAFEs have been devastated by the massive funding cuts we have seen in this budget. If you are a training provider, or if you are a TAFE institute in the south-east, you have been dealt a double blow by this government. We have seen TAFEs right across Melbourne — and certainly in the south-east — that are reeling from the cuts announced in the budget, from the savage wrecking ball that has been smashed against these great public institutions, leaving the hopes

and dreams of countless thousands of young people, in the south-east and right across Melbourne, in its wake.

Adding insult to injury for the south-east is the fact that the south-eastern tertiary education provision plan, a plan that was meant to be the guiding light for educational attainment in that region, has seemingly disappeared. It hit the minister's desk six or eight months ago and has been thrown into a bottom drawer or, more like it, thrown into the dustbin. What have we heard from representatives of those electorates in the south-east? We have heard absolutely nothing. It seems they do not care if their constituents are treated like second-class citizens compared to those in other parts of Melbourne, and that is a shame. They should stand up for their constituents.

I will talk a little bit about the south-eastern tertiary education provision plan because it was an important plan. It was commissioned by Labor in 2010, a year before the Gippsland tertiary review was commissioned by The Nationals minister. Despite its year in the making, the south-eastern plan was put on the backburner. We have seen the Gippsland plan come out with public recommendations — we are still waiting on money for them, but at least we have them. We saw consultation and expert advice put into the Gippsland plan, but for the south-eastern suburbs we have seen none of that. There has been silence.

The committee for the south-eastern tertiary education provision plan was chaired by Professor Kwong Lee Dow, who is acknowledged by both sides of this house as an expert in education and tertiary provision. He finished the plan sometime in 2011 and submitted it. What has happened to it? It has simply vanished. Where are its recommendations? Who knows? What are its solutions? They have been silenced just like the representatives from the south-eastern electorates, who should be standing up and saying, 'We want to see this plan for tertiary education. What about our kids? What about our constituents?'

They should also be saying, 'What about jobs?'. When we are seeing massively increasing unemployment, and youth unemployment in particular, right along the south-eastern corridor, we are not hearing one word from them about the plan to get these kids jobs. There is no plan for education, no plan for training and no plan for jobs. There is absolute silence from members opposite, who are meant to represent the hopes and aspirations of people in the south-east of Melbourne, but those people are being left as second-class citizens. It is tragic.

This plan was not dreamt up by Labor as just something to do. It was important because the rate of tertiary participation in the south-east is about half that of other parts of Melbourne. It is similar to Gippsland in being behind in tertiary participation. You cannot simply lift attainment. You cannot get people higher education, better jobs and better lives unless you have a plan, and you cannot get those things if you slash \$290 million out of the budgets of the TAFE institutes that are providing that training, as has happened in this budget.

Mr Mulder interjected.

Mr HERBERT — The Minister for Public Transport runs the line, ‘It was unsustainable; there was \$1.2 billion in training’. Of course he deliberately misleads. He knows that \$1.2 billion was for training and that TAFE participation had grown by only about 4 per cent, which is about what the population increase has been. So what does the government do? It says, ‘We have mismanaged this. Oh, the budget across training has blown out. We’ll make TAFE suffer. We’ll pull \$290 million from the TAFE budget to fund our mismanagement’. It is an absolute disgrace and particularly disgraceful for residents on the Mornington Peninsula and in Frankston, Carrum, Bentleigh and Moorabbin. These areas have high apprenticeship rates and large numbers of tradies. They have large numbers of young people who seek to go to TAFE to get the skills they need to get a career, to get a job, to raise a family and to make a go of their lives, and they are now being treated as second-class citizens. They are having the rug pulled out from under them.

Mr Watt interjected.

Mr HERBERT — The member for Burwood seems to think it is a great thing to slash \$290 million from TAFEs. I cannot understand it, but maybe in his contribution he can say exactly why it is such a great thing for this state to slash money from his local TAFE provision.

I notice the other government members from those areas are not here today. They surely must know what is happening in those TAFEs: the course closures, the staff sackings and the campuses in doubt. They must know of them, and they should speak up. They were elected on a platform of supporting people in their electorates. But no, all we get is absolute silence while people in their electorates and their training providers reel.

Let us look at Chisholm, one of the biggest providers in the state and certainly in the south-east of Melbourne. What has happened to it? At the end of last year, after it

had done its budget and all its planning for this year, it was hit with a \$3.5 million funding cut. Whoa! It reeled, and it got rid of some staff, cut back and increased fees. Some of those fees could not even be afforded by young apprentices. Just a month or so ago I went and spoke to a group of young plumbing apprentices in the area. Of about 10 young people — all of them wanting nothing more in life than to be a damn good plumber, get a career, be a tradie and get on with life — 3 could not afford to pay their material fees and charges.

It is all very well for the government to say, ‘Fees can go up; students can pay them’, but I say to the member for Burwood that if you are an apprentice plumber getting 7 bucks an hour in your first year and 12 bucks an hour in your second year, with a car to run — because you are a tradie and you have to get to the job — and probably accommodation to pay for, you cannot afford high fees. In the case of the \$1200 fee there were several young people in that class who could not afford it, given the massive rise that is going to occur as a result of these budget cuts.

This budget cuts \$26 million out of Chisholm funding. The two biggest campuses of Chisholm are at Frankston and Dandenong. Both have communities that desperately need those skills. You would not say that they are wealthy communities by any stretch of the imagination. They are good, working-class people and they look to training to get ahead in life and for their kids to get jobs, and they are having \$26 million slashed from their services. It really is disgraceful.

If members look at the budget, they can see even more. The people at Chisholm TAFE are saying that the cuts will seriously impact on courses such as those in community services and health, building and construction, and electro technology and communications at its top three schools. All of these courses are vital for the skills needed for the local economy and local businesses.

What does the member for Frankston — who is not here and seems to be hiding — do to protect his local area when Chisholm TAFE at Frankston is one of the biggest education providers in the area? It seems that he is too busy moonlighting to go there and speak to the people at Chisholm. He could have been out there speaking to the people in the organisation — talking to the staff and the students — and trying to help them get through this disaster for their institution. Instead he has other things to do.

If members look at the letterhead of the member for Frankston, I believe that they will see it says ‘Standing

up for Frankston'. Well, he is not standing up for the local TAFE in Frankston. I notice he puts out about one pamphlet a year. I do admit that there are a few others on the other side who a little bit more active, but he puts out a budget pamphlet each year. Is there any mention of TAFE and the vital damage that is being done to TAFE institutions? There is nothing; there is absolute silence. There was a bit of spin about creating jobs. It seems to me that if you are a young person in Frankston, you are not getting any jobs. The only person who is getting jobs is the member for Frankston, who has two or three jobs running.

I must say that the member for Frankston has been quoted many times in this place. He is a good Christian. I say to him, as the member for Monbulk said: he should be familiar with the seventh commandment, 'Thou shalt not steal'. I say that because he should be aware that members of this government are stealing the hopes and dreams of so many young people in the south-east. They are stealing the job opportunities of young people in the south-east, they are stealing the skills development of young people in the south-east, and they are stealing the training opportunities that Chisholm provides for young people in the south-east. That, quite frankly, is a disgrace. We have found out that the member for Frankston is working in two or three jobs. He is certainly not lazy; he works hard. But how much is he actually doing for the constituents who desperately need him to stand up for them? It seems very little.

In answering a question on the TAFE cuts in the Public Accounts and Estimates Committee hearings, the Minister for Higher Education and Skills seemed to blame TAFE teachers. He said that one of the problems was that their salary and conditions under the enterprise bargaining agreement were too good. I believe that the Premier mentioned it again on 3AW as a way of deflecting attention away from the cuts. What the minister said was, 'It's good money if you can get it', if you are a TAFE teacher. I say to those opposite: for the member for Frankston, who has three jobs — two of them full-time jobs, his accountancy practice and his hardware store, and his third as the local member — it must be pretty good money if you can get it, that is for sure. He does not seem to do much work for it.

Chisholm TAFE in Frankston is in the electorate of the member for Frankston. With the Frankston campus of Monash University, it is one of the major education providers in the electorate. This is definitely a serious matter. The people at that institution need the member for Frankston to look at what is happening with these cuts. If you look at their courses in hospitality, children's services and plumbing, we are talking about

major reductions. Many young people in Frankston use the hospitality course as a stepping stone to another career. They get a bit of training in hospitality, they earn a bit of money and they get job experience. Then they might do another course. That has been slashed from I think about \$8 an hour a year ago to \$1.50 an hour — and they do not get the TAFE differential of 25 per cent extra funding.

What will happen to the 200 kids who are studying hospitality at Chisholm TAFE now? The truth is that the people there cannot run those courses on that sort of money. There is no chance whatsoever of them doing that. What we will see is that as of 1 July the fees will go up to unsustainable levels and those courses will end. There is nothing surer than that.

When we speak about Chisholm, government members say, 'We've given extra money for apprenticeships'. They do not mention the fact that for that they have taken away the 25 per cent TAFE differential. Here is a fact about Chisholm: 15 per cent of the courses will receive a tiny increase in funding and 85 per cent have had their payments slashed by the government. The hardest hit will be young people in Frankston in particular who need those skills.

You can go to electorates right along the Frankston train line. Those members all came in on a platform of trying to do something better for their electorates right along the line: Frankston, Bentleigh, Mordialloc and Carrum.

Mr Mulder interjected.

Mr HERBERT — The Minister for Public Transport talks about trains. I know a bit about that line and I understand that they have a lot more services on it, but they are going in the wrong direction and the trains are empty. The minister would do well to look at reliability of services on that line this week. There have been multitudes of service closures, with trains simply cancelled. This is despite the fact that the journey times are longer and there are fewer services in peak hours, all to give Metro a few million dollars bonus.

It is not in public transport where the disgrace is along that peninsula; it is in education. It is rapidly becoming unaffordable and unattainable for so many people from the Moorabbin campus of Holmesglen right through to Frankston, which has Chisholm. There is no priority in this government for education and there is no priority among those members whose electorates are along that train line. They came in promising so much but they have delivered so little. My advice to them is to not just put up pretty pictures at sports clubs and not just throw

out spin from the government but actually get out there and do a bit of work for their constituents, and then they might just have a slim chance of being re-elected.

Former government: performance

Mr MULDER (Minister for Public Transport) — I join the grievance debate. I grieve for Victorian taxpayers, given the mess left behind by the former Labor government that we have had to clean up, with cost blow-outs on projects. I grieve for those in the transport industry who find themselves caught up in congestion around the metropolitan road network. I grieve for the mums and dads who on a daily basis are taking children to and from school and are jammed up in a traffic mess or chaos that was left behind by the former Labor government.

I pick up just one point that was raised by the former Minister for Roads and Ports, the member for Tarneit, in his contribution to the grievance debate when he claimed that the government was riding on the back of Labor projects. I can tell members that one saddle I would not want to be in is the one that led to the desalination plant. Do members opposite think that we as a government wanted to inherit an absolute financial mess such as that? The north–south pipeline leads to a dam that cannot take the water. One would have to ask: are we going to end up with extraction fans in that pipeline sucking dust from the north of the state and will we be setting up a potting mix plant at the tail end?

Looking at the issue of the IT projects, do members opposite think that as a government we wanted to ride in on the back of those projects, with their massive cost blow-outs? Myki: do they think we wanted to inherit that project? Do they think that is something to be proud of? Quite obviously the member for Tarneit thinks it is. The poor scoping of the regional rail link project, the lack of money for trains, the lack of money for signalling and the lack of money across that broader project — do they think that that is something that we would have liked to have inherited? Of course it is not. The digital train radio system in Melbourne had no money for contingency in that project. Do those opposite think that is something we wanted to inherit? No, of course it is not.

What do those opposite say? They say Labor cares. Labor could not give a continental about the future of Victoria or about the public. One thing I can say is this: you could be very angry with the members of the former government's frontbench, but there is one thing that I think Victorians know and understand about Labor governments. If you look at the background of a lot of those people who find their way into this

Parliament, you see that, via the union movement and through electorate offices, they find themselves on the front bench with a cheque book and billions of dollars of taxpayers money at their disposal when in most cases the closest they would have come to a commercial negotiation would have been purchasing a fridge through the union credit cooperative. All of a sudden they find themselves with all that money at their fingertips and they have no idea. Labor governments cannot handle taxpayers money. We see it time and again. We are the clean up parties. We come in, we clean up the mess and we get on with the job.

Labor members do not care. It is all about them, their mates and the people who put them there. They simply do not care about the broader community. There is no clearer demonstration of where their loyalties lie than the east–west crossing project. Their position is not about caring for the Victorian community; it is about caring about the by-election that is coming up in the seat of Melbourne. The Leader of the Opposition is a speed hump on Victoria's road to prosperity; he is a road blocker. He is a knocker of projects that will make the state work, increase productivity and deal with traffic congestion.

There are mixed messages coming out of that side of politics. Some members opposite would like to see that project proceed. I would not mind betting that after the by-election in the seat of Melbourne some of those attitudes will start to twist and turn and change a bit, but in the meantime opposition members have to be greener than the Greens to ensure that Labor can hold the seat of Melbourne, and to hell with the transport congestion that occurs, to hell with Victoria's prosperity and productivity. That is the position we are dealing with, and we know it.

We have been out there, we have given the commitment, we have made the announcement, we have put up the \$15 million to develop the business case and we have already started to do the geotechnical work on the east–west connection. Fifty holes will be drilled along Alexandra Parade and through the Parkville area so that we can get a better understanding of what is under the ground, prepare the business case, provide the information to the private sector and do the planning. We do it a bit differently from the former government. We do not go out and announce a project, put a dollar figure to it and let the construction industry work to that amount of money. We will do the planning, we will do all the hard work required and we will make sure that we get it right. We do not want to get caught up in the long list of projects that we inherited from the Labor government, which was made up of contractual muddlers who were absolutely

hopeless when it came to scoping a project and getting value for taxpayers. We will do it right.

We will connect the Eastern Freeway with the Tullamarine Freeway, with the Western Ring Road and with the port of Melbourne. We will cater for the rapid population growth that Melbourne will have over the next 10 years. We will deal with the containers coming out of the port. We will also make sure that those links cater for increased public transport options. It will be a very well-thought-through project. I know the former Labor government would love to have been a part of this, but what did we get from it? We got WestLink, a road that starts nowhere and ends nowhere. Before the last election members of the Labor government were all saying, 'Don't go near the Eastern Freeway — for heaven's sake don't look at that' in fear of losing their inner city seats. It was nothing to do with what the best outcome for Victoria would be, nothing to do with productivity and nothing to do with dealing with traffic congestion; it was all about them and their inner city seats. That is what dictated their decision to turn their backs on the Eddington report, their very own report, that said to them, 'Build the Eastern Freeway connection'. After commissioning the report and getting Sir Rod Eddington to do the work that he did, they said, 'No, we refuse to go down that pathway'.

What support did we get from the federal government and from the opposition in our requests to Infrastructure Australia for funding for the Melbourne Metro tunnel, the Eastern Freeway connection, the Dandenong corridor and Avalon Airport? We got absolutely nothing, because the members on the other side would not go to the federal government and throw their weight behind Victoria. They would not do a thing. They did not assist in any way, shape or form to make sure that we got an outcome from the federal government. We got zero. As a result of Labor working with Labor against the interests of the state of Victoria, we got absolutely nothing.

I would have thought the Melbourne Metro tunnel, at least, would receive some level of support from the other side and the federal government. We are the only government that put money into that project. The former Labor government did not put money into that project. We are the ones who chipped in to make sure that the planning could continue and that project could be developed and go forward. There was no support whatsoever for that project from the federal government or from state Labor.

We know very well that when it came to the Eastern Freeway extension Labor was all over the place. We have tremendous support for this project from the

RACV, which was quoted on numerous occasions by the Labor government in this place. It said:

The east-west link is a major project that will alleviate the massive congestion at the end of the Eastern Freeway and on both east-west and north-south roads ...

The RACV has fully endorsed that project. Around 150 000 vehicles a day use the Eastern Freeway, but there was no plan by the former Labor government to deal with the congestion problems through such a project. Members opposite say Labor cares. Right in the middle of *Investing in Transport — The East-West Link Needs Assessment*, Sir Rod Eddington recommended that:

Planning work should commence on the staged construction of a new 18-kilometre cross-city road connection extending from the western suburbs to the Eastern Freeway.

That was Labor's report, commissioned under a Labor government, but Labor members said, 'No, we will not do that. We will definitely not support that. That would be too expensive for us. There is no way we are going down that pathway'.

As I said before, we know all about the mixed messages we have been getting from the other side. Some opposition members have their hands up for the Eastern Freeway extension, others have their hands down and some have their hands in their pockets. I think the member for Williamstown would like to see it proceed. We know the member for Altona would like to see it proceed. In what I think was the hardest press conference the Leader of the Opposition has ever had to endure, he put his hands in his pockets and said, 'Not for us — not yet, anyway'. I think that is what it is all about — 'not yet, anyway'.

Under the toughest financial conditions this state has suffered in a long period of time, after picking up project after project that was an absolute financial mess, we have still put forward over \$5 billion for infrastructure in this budget right across the state; and it has gone right across the state. You could see Labor members' jaws drop and you could see the sad look on their faces when those projects were being rolled out on the day this budget was delivered in the Parliament. They could not believe it. There was the Springvale Road grade separation, the Rooks Road grade separation, the Mitcham Road grade separation, the Koo Wee Rup bypass, the Dingley bypass and the reinstatement of the Anderson Road grade separations that were ripped out of the project by the former Labor government and reinstated in the Labor heartland by a Liberal-Nationals coalition government.

Those opposite could not believe that the ongoing program of \$160 million for the 40 smallest councils that have been struggling with their asset management, their roads and their bridges was being continued. Another \$40 million was being put into country Victoria for roads and bridges to make sure that we could continue to support all of those smaller councils to make the roads safer for the transport industry, to work with the transport industry and local government to get a good, sound outcome. They could not believe the Kilmore-Wallan bypass is going ahead, a project they messed around with. They did not have the ticker to take it forward, and they could not believe that that project continues.

They could not believe we took on the tough issue of the taxi industry and put Professor Allan Fels in place to conduct a wide-ranging inquiry. I am pretty sure that there was an interjection in this house, last year I believe, to the effect, 'You will back down. You will not go ahead with it'. The inquiry is ongoing and Professor Fels will bring down his findings. Once again we have taken on the tough jobs the former government would not go near. It simply would not go near them.

Public Transport Victoria has already locked in 140 bus timetables with the metropolitan train timetable to integrate public transport in this great state. How long has the public been saying, 'We want to make sure that the timetables link with one another'. We are doing the work, we are getting on with the job and we are delivering. That initiative by the government has been very well received, and we are seeing improvements on the public transport network. We are seeing improvements in relation to punctuality, once again, something that the former Labor government did not have the ticker to tackle. The former Minister for Public Transport, with a timetable in the bottom drawer of his office when he was turfed out the door, did not have the ticker to take it out there, put it on the table and say, 'This is what should happen'. It took a coalition government to introduce those new timetables: nearly 1000 additional services across the metropolitan rail network delivered by a coalition government.

The first of our seven new trains are about to be rolled out. We already have the order in place, and we are working with the companies on the new trains for the regional rail link project, which will mean more trains in country Victoria, more money for maintenance on the rural train network and more money for maintenance on the metropolitan train network. There is more to be done. 'Get back to the basics' is what we said when we were in opposition, and that is exactly what we are doing. It is about the drainage, the sleepers, the rails, the points, the crossings and the signals. Get

rid of the old sleepers. Bring it on! In Williamstown, Ivanhoe, Altona and Niddrie Labor needs to get rid of the old sleepers. Bring on the ambitious young members who have come in and get rid of the old dead wood!

Question agreed to.

STATEMENTS ON REPORTS

Economic Development and Infrastructure Committee: greenfields mineral exploration and project development in Victoria

Mr NOONAN (Williamstown) — I rise to make some comments in relation to the inquiry into greenfields mineral exploration and project development in Victoria by the Economic Development and Infrastructure Committee and the report tabled in the Parliament yesterday. From the outset I want to acknowledge and congratulate the committee chair, the member for Hastings, who did a wonderful job in leading this inquiry. I also want to acknowledge my fellow committee members and the executive team made up of Sean Coley, Yuki Simmonds, Scott Martin and Matt Newington, for helping to produce a report of substance.

The purpose of this inquiry was to produce a set of recommendations for the government's consideration that may enhance our state's capacity to attract new greenfield exploration and mining opportunities. In all, the committee made 25 sound and well-considered recommendations for the government's consideration. In the limited time I have today I want to speak about item (g) of the committee's terms of reference, which refers to the different roles of governments, including targeted industry engagement and the facilitation and generation of geological survey information.

The committee learnt that the role of state governments can be critical to attracting mining investment. In South Australia the state government's regulatory approach to exploration and mining activity and its plan for accelerating exploration initiatives are commonly highlighted as contributing to the success of that state's resources sector. However, in Victoria it became apparent during this inquiry that there were major problems within the earth resources division of the Department of Primary Industries, and that those problems were hampering Victoria's ability to attract new exploration. Concerns about DPI were first raised by the Australian Institute of Geoscientists during the committee's public hearing on 7 November 2011. Mr Fraser, who appeared on behalf of AIG, stated:

We understand there is some reorganisation within the Department of Primary Industries, or the earth resources division, and we are fearful that it may be pulled back rather than being maintained at the current rate or even improved ...

The AIG subsequently sent the committee a letter on 14 December 2011 which included an extract from its quarterly magazine. The extract contained a scathing letter from Mr Fons Vandenberg, a former DPI employee, which claimed that DPI was losing the very best scientific staff at a rate of one every 10 days through all of July, August and into September 2011. Mr Vandenberg also indicated that DPI had breached contracts with some scientific collaborators, such as the CSIRO, and that work on the highly specialised database management system had virtually ceased.

The inquiry then heard similar concerns from Professor Janet Hergt, the head of the school of earth sciences at the University of Melbourne on 30 January 2012. Ms Hergt's submission states:

A number of the research projects we currently undertake would not be possible without the input of the phenomenal corporate knowledge embodied in those geoscientists still employed in DPI. It is therefore alarming to see the recent restructuring of GSV, with resulting loss of its international brand, key staff and the in-depth knowledge of Victorian geology that has gone with them. It will not be an easy task to rebuild this capability, particularly during the current mining boom.

Separate to these three pieces of damning evidence, last week I received an email from Mark Reid, another former public servant, who has kept close contact with his former colleagues at DPI. Mr Reid writes:

Up until 2010, the GSV had made great strides towards the state's surface and subsurface geological knowledge and was providing valuable information for the mining, energy and building industries particularly. Last year, it all went pear shaped thanks to a baffling, enforced change in culture that has caused an irretrievable loss of intellectual property and reduced the GSV to a shadow of its former self.

This view was confirmed in an internal staff survey that was conducted within DPI during 2011. At the public hearing involving DPI, I sought to obtain a copy of this staff survey, but I was refused. I then obtained that very survey under FOI, and it was granted to me just some weeks ago. It paints a very bleak picture of what is going on within the earth resources development division of DPI right now. The survey obtained under FOI was so damning that there were multiple black boxes placed all over it to protect the government in relation to the information that was provided.

The survey suggests that the changed plan and strategy within the earth resources development division of DPI are sadly failing. Clearly there are major problems

within the government, and I will be interested to see how the Minister for Energy and Resources responds to the matters that have been raised by the many submitters to this inquiry.

Law Reform Committee: access by donor-conceived people to information about donors

Mr NEWTON-BROWN (Pahran) — I rise to speak on the Law Reform Committee report about donor-conceived children. I have spoken previously on this report, which addresses the issue of access to information by donor-conceived children who were conceived pre-1988. In my previous contribution I detailed the current regime, whereby those involved as donors have to consent to all of their information being available and on the table to be known, but pre-1988 it was very different. There are now two classes of donor-conceived children in the state. Those conceived pre-1998 have no rights to know anything about their genetic background.

The recommendations of the committee were that that information should be provided to children who were conceived before 1988 and that there should be a number of safeguards. Members of the committee went on quite a journey. We all started from the position of thinking that information should not be provided; then after hearing the evidence all five of us changed our views. As a result of that experience the committee has been keen to consult widely and inform people who are interested to know why the committee made its recommendations. Many members from both sides of the house have taken up offers to be briefed. Some ministers have taken up offers to be briefed by some of the people who gave evidence to the committee.

In my contribution today I seek to address some of the key concerns that have arisen as common themes in the course of these briefings. The first is: what if a donor does not want contact and has kept his secret from his current family? The answer to that question is: there is to be a slow, considered process using an independent body as a counselling service where donor-conceived children can contact the donor. There is counselling involved. Donors can submit a preference regarding contact, so if they do not want a letter to be sent to them at a location where people can discover their secret, they can provide an email address or post office box address. Contact vetoes have been proposed so that if a donor does not want contact, then a veto can be put in place. There can be penalties as well. This is not really groundbreaking. What was recommended was what was done by us as a government in the 1980s when we retrospectively legislated to reunite adopted children

with their birth parents. Experience shows that the system works well.

Another issue is about claims on estates. Under the Status of Children Act 1974 there is no legal relationship between a donor-conceived child and their donor. Furthermore, donor-conceived children who were conceived before 1988 are in their mid-20s or older, so there are no issues about obligations, legal or moral issues or otherwise in relation to child maintenance.

The primary concern that people raise about this issue is about the breaching of an agreement. The main people who have opposed the recommendations are doctors and members of the Australian Medical Association. They have said the donors all donated on the basis of anonymity and it would be wrong to breach that agreement. Yet this argument fails on a number of levels. The forms that were used by all the treating doctors and hospitals varied quite widely. None of the forms was anything more than an undertaking by the donor not to seek out information about their offspring. There really is no evidence of written documentation that contains an express condition that donors were only donating on the condition of anonymity. The argument also fails because, even if there were that express undertaking, the children were not party to that agreement.

A special edition of the *Journal of Law and Medicine* will be released in July to exclusively cover this issue. I have had a sneak peek at it, and the legal recommendations put forward by some of the submitters to this journal have stated that while there may have been oral assurances, there is nothing that could give rise to an enforceable contract. The so-called contracts could really be seen, at their highest, as just one-sided statements of informed consent. We are really weighing up two moral arguments; they are not reconcilable. There is the moral right to anonymity versus the moral right to genetic information.

The ACTING SPEAKER (Mr Languiller) — Order! The member's time has expired.

Law Reform Committee: access by donor-conceived people to information about donors

Ms BEATTIE (Yuroke) — I too would like to rise and make a few brief comments on the Law Reform Committee report on access by donor-conceived people to information about donors, tabled in March 2012. At the outset I would like to acknowledge the work of the committee. The report has some 29 recommendations

and 10 findings. The committee was chaired by the member for Prahran, and I am pleased to inform the house that the Deputy Chair, the member for Brunswick, has recently given birth to a baby boy. I am sure the house wishes to extend its congratulations to the member for Brunswick.

Mr Delahunty — He's going to play for Essendon.

Ms BEATTIE — I will not take up the interjection by the Minister for Sport and Recreation, but I suggest he look at his world map before he starts interjecting and find out where New Zealand is in proximity to New South Wales.

The ACTING SPEAKER (Mr Languiller) — Order! The member will continue with her contribution on the report.

Ms BEATTIE — I digress from the report that I wanted to talk about. As I said, there are 30 recommendations and 10 findings, with 51 witnesses, being 20 individuals and 31 organisations, having appeared before the committee. I am sure that at times it must have been quite harrowing to listen to some of the stories that were told. I appreciate the opportunity given by the committee for a briefing a couple of sitting weeks ago, and I thank the committee for that. There will be debate over this report for some time to come. People have strong feelings about this issue, but it was really interesting to read in this report about some of the people who were personally affected.

I note that on page 23 a report of the Legal and Constitutional Affairs References Committee of the Australian Senate was tabled in the Senate on 10 February 2011. One of those recommendations, which I thoroughly support, was that through the Standing Committee of Attorneys-General the Australian government do everything possible to ensure the establishment of a national donor conception register. In my view this is an absolute imperative, and I urge the government to consider that report and hand back its findings on it as quickly as possible.

The committee reflected quite deeply on some of the recruitment methods used for finding donors. The report refers to a man who was a medical student in the 1970s and donated after attending a lecture at which students were asked to consider donating sperm for infertile couples. A full-time university student, he and his wife were seeking to support themselves; quite frankly he did it for the \$100 fee offered at the time as an income supplement. There was also a man who responded to a call in the press in the 1980s for sperm

donors. There were many reasons why people donated. Some of them were altruistic — for example, to help out others who could not have children naturally. Other people admitted it was just an income supplement. There were many and varied reasons for donating.

The committee also heard from some of the children. It seems quite unfair to me that there are two levels, if you like, of donor-conceived children. The committee also heard that record keeping was not what we would regard as sufficient and that records were sometimes destroyed, particularly where doctors were carrying out treatments in private practice. In the few seconds I have left I would like to thank and praise the committee for its work.

Public Accounts and Estimates Committee: budget estimates 2011–12 (part 3)

Mr McCURDY (Murray Valley) — I am delighted to rise to speak on the Public Accounts and Estimates Committee report on the budget estimates, part 3 and in particular chapter 2.5 in terms of the response to major flooding, which is given in a fair amount of detail on page 23 of the report. This section refers to an important and significant part of rural and regional Victoria and its history and certainly in the last couple of years, our most recent history, with the flooding that took place in both western Victoria and more recently in northern Victoria. We know the damage bushfires do to people and property; so too do floods, and the long recovery process is just as damaging. There are two parts to it: public property damage and private property damage. This government has been very quick to respond — as has local government — to flooding in our regional areas. In the Murray Valley flooding remains a major and significant concern. The rain that fell in mid-March and what followed resulted in what was declared a natural disaster.

The private property sector and the farming communities had thousands of hectares inundated, and many homes and sheds were well under water. They say that timing is everything; in terms of crops we are very fortunate that harvesting of the winter crops from the previous year had been finished, and the current season's crops had not yet gone in. Obviously the impact on fruit trees and dairy farms was worse. Certainly the summer crops in our region were heavily impacted upon.

No doubt the category C funding applied for by the Premier had an excellent reception where it was received — certainly in the city of Greater Shepparton, the shire of Moira and the shire of Indigo, which is in my area. Frustrations are at boiling point in the rural

city of Wangaratta, which has still not been declared a natural disaster area, and we wait on the Prime Minister's office to make that declaration — we hope. An important consideration is that unfortunately rain does not fall within local government boundaries. For example, in a town like the small community of Peachelba, those who live on one side of the road qualify for category C funding while those on the other side of the road may be in a different shire and not qualify. That is very frustrating even within local communities. But so it is too with local government boundaries. The councils are still waiting for this funding to come through for the roads and infrastructure to be repaired. We will continue to lobby, and we hope the federal government will see the light of day.

Certainly the roads play a major role in our day-to-day work in the public sector and in the collection of milk and the transport of grain to the ports, and the damage to this infrastructure is quite high. Bridges, major Victorian roads and local government roads were damaged. Again I say that these regions have had strong support with funding. The clean-up has begun, and the fixing of the roads and some of the infrastructure is well on its way. As the committee report states, there is also funding for the initiatives via various state facilities. That is in the absence of federal funding assistance. Infrastructure in other community areas was damaged, including, for example, the Tungamah Football Club. It might not be a huge football club with state-of-the-art grounds, but it plays an important part in its community. It was flooded out, and we are still waiting to see those facilities repaired. Numurkah hospital was compromised by the floods, and there is still scarring in those communities. The list goes on.

Last week the Environment and Natural Resources Committee, chaired by David Koch, a member for Western Victoria Region in the Council, held a public hearing in Numurkah. I was very pleased that the committee came to look at the broader issue of flood mitigation and, in particular, that its members listened to the emotion, passion and concerns of the residents of Numurkah. At the same time they looked at the broader issue of flood mitigation, but they were very compassionate. They went to Nathalia as well to see the levee bank system there. I am very appreciative of the fact that this committee came to the area and demonstrated its understanding and in particular its patience, because to some extent the hearing was outside the scope of the terms of reference, certainly in some parts. With that, I conclude my remarks.

**Public Accounts and Estimates Committee:
2009–10 and 2010–11 financial and
performance outcomes**

Ms GRALEY (Narre Warren South) — It is a pleasure to speak on the Public Accounts and Estimates Committee report entitled *Report on the 2009–10 and 2010–11 Financial and Performance Outcomes*, which was tabled recently in this Parliament. I will focus my comments on chapter 7 of the report, as well as the minority report. At the outset, and as a former member of the committee, I must say that I am deeply concerned by the very political nature of the way in which chapter 7 has been put together. As the minority report states:

... there was not a single hearing, nor did it examine a single witness. No former minister, or any departmental representative was given an opportunity to comment on any element of the majority's analysis, and no submissions were invited.

In my experience this is very unlike the way PAEC has previously conducted itself.

Chapter 7 goes through the former Labor government's Growing Victoria Together strategy and concludes that of the 36 measures 36 per cent were met, 19 per cent were partially met, 25 per cent were not met and 19 per cent were unable to be determined. In many areas, including those referred to in the minority report, the majority has taken a simplistic approach to determining if measures have been met. I will refer to one measure in particular:

The appreciation of diverse neighbourhoods and communities will increase.

The majority determined that this measure had not been met, citing the Victorian population health survey, which indicates a decline in support for multiculturalism between 2001 and 2009. I ask members opposite to think back 10 years to what was happening in Australia from 2001 onwards. We had a Prime Minister in John Howard who was intent on dividing our community. He was a Prime Minister opposed to multiculturalism. In an act reminiscent of George Orwell's *Nineteen Eighty-Four*, he obliterated the word 'multiculturalism' from the name of the department. I am proud of Victoria's bipartisan commitment to multiculturalism, and I hope it will continue. We are indeed fortunate to live in a multicultural community here in Victoria and especially in my electorate of Narre Warren South, which has many people who have come to live in peace and prosperity in our great state. The factors taken into consideration in determining whether measures have been met are, as you will see if you read the report, far

too simplistic. That is just one example. Time prevents me from giving further, more extensive examples.

While the majority of PAEC members have sought to politicise chapter 7, they have also taken the extraordinary step of declaring a number of good outcomes achieved between November 2010 and June 2011. The Department of Education and Early Childhood Development section is just breathtaking, really; I advise everybody to read it. In this section the majority has claimed several outcomes, including:

Give children the best start in life and provide access to affordable, quality early childhood education in the years before schooling

Develop the basic skills for life and learning so children make a successful transition to school

Assist young people to transition from school to further education and/or work that provides further training opportunities —

and —

Supply the skills needed to improve labour market outcomes and equip Victorians of all ages with the skills and capabilities to enable educational, labour market and social participation.

The evidence the majority uses to support these outcomes is just as simplistic as the factors used to judge the Growing Victoria Together strategy. It is typical of conservatives that they apply different standards to themselves than they apply to others. But what I know will be the ultimate measures of these outcomes are the following: the cut to the Take a Break program funding, the lack of investment in kindergartens, the cuts to the Victorian certificate of applied learning and TAFE, and the record high youth unemployment rate. On these measures the Baillieu government will score a big fail. By any measure Victorian families will be worse off.

The majority's work in chapter 7 clearly shows a government bereft of ideas and intent on trashing the proud record of the Labor government. It is very disturbing as a former member of PAEC to see a government abusing the function and workings of such an esteemed committee of this Parliament. I suggest to the government that in the interests of good government it commit to openness and transparency and return PAEC to doing the good work it has done in the past.

Law Reform Committee: access by donor-conceived people to information about donors

Mr THOMPSON (Sandringham) — I would like to make some remarks in relation to the Law Reform Committee inquiry into access by donor-conceived people to information about donors. I commend the committee on its good work and deliberations in considering some sensitive matters. I also consider it unfortunate that some three decades after these issues were first contemplated and there was controversy within the Victorian community the law has not been amended to accommodate the horizons and aspirations of donor-conceived people.

The development of law in this area has lagged behind the rate of development in the scientific community, and some of the issues that may have been anticipated some 30 years ago are only coming more broadly to light today. Adoption was a practice regulated in this state. In the first third of the 20th century it was thought to be advantageous as part of the adoption process to amend a birth certificate so that a person would not necessarily have an immediate understanding that they had been adopted. It was regarded as being in the best interests of the child.

Later a body of literature developed representing the situation of relinquishing parents, who expressed significant angst at not being able to find out what had happened to their progeny. I would add that there has been a range of studies undertaken and observations made by authors in the English-speaking world which have defined people who in later parts of their lives have come face to face with a sibling or a parent and which graphically describe what that might have meant to that individual or that person. It is a significant realm. It deals with human emotion and the genetic inheritance of an individual.

There has been some social debate in relation to whether an individual is a product of nature or nurture and whether the outcomes are determined by their biology and their biological history or their social history. I hold the view that human outcomes are a combination of those two aspects or features. There are examples where twins separated at birth and brought up in different countries have met each other later in life and found remarkably similar continuing and striking characteristics. There is a strong body of literature that documents that particular journey.

Turning to the issues themselves, I hold the view that it is axiomatic that an individual has a right to a knowledge of their genetic inheritance, their genetic

history. There are issues in relation to the matter of retrospectivity, and as a legislature we need to be very mindful and cautious about amending laws retrospectively. If there is a retrospective benefit, it is a straightforward matter. If there is a retrospective burden, it is more problematic.

On balance, having weighed a number of different factors and depending on any legislation that might come before the house, ultimately I think it is axiomatic that an individual has a right to full knowledge of their genetic inheritance. It gives rise to a wider understanding of their medical health and history, an understanding of their siblings and an understanding of their history. We as a nation are a family of immigrants but that history can be traced back into different parts of the world, and I think it is helpful for an individual to have an idea of their bearing in time, place and context.

I again state that the committee has done a good job in giving rise to the issues, and I give praise to the current government for the reference given to the committee to shed light on some of these issues. A number of people who regrettably have confronted terminal medical illnesses have not had the opportunity of ascertaining their genetic inheritance.

A number of years ago I undertook some research on this topic as part of my law degree. The right to information concerning biological origins affects adopted children and children conceived by artificial insemination by donor. There are a number of conclusions that I framed at that time which if they had been implemented then would make the journey to provide a foundational framework for children born before 1988 easier as they have sought to ascertain and understand their genetic inheritance, which I believe is their human right.

POLICE AND EMERGENCY MANAGEMENT LEGISLATION AMENDMENT BILL 2012

Second reading

Debate resumed from 2 May; motion of Mr RYAN (Minister for Police and Emergency Services).

Mr MERLINO (Monbulk) — I rise to speak on the Police and Emergency Management Legislation Amendment Bill 2012. This bill makes five principal changes in the areas of police and emergency services. In relation to emergency services, it makes amendments to the Bushfire Royal Commission Implementation Monitor Act 2011. This act is due to sunset on

30 September 2012 after the tabling of the monitor's final report in July of this year. This bill extends the operation of the act to 30 September 2014 and requires the production of an additional two annual reports on 31 July 2013 and 31 July 2014. The bill makes provision for the minister, and this is a new provision, to ask the monitor to report on other matters. I will come back to that point later on.

The bill makes provision to implement in part recommendation 53 of the 2009 Victorian Bushfires Royal Commission by amending section 32 of the Sale of Land Act 1962 to include a vendor's statement that the house is in a bushfire area. It also makes a minor change to the Country Fire Authority Act 1958 and grants the Secretary of the Department of Sustainability and the Environment the power to appoint other personnel to exercise the power of the CFA chief officer if the CFA is not present in the area. That happens in practice; this is putting it in the legislation.

In the area of police, the bill amends the Police Regulation Act 1958 to remove the cap on the number of deputy commissioners and assistant commissioners of police that can be appointed. For deputy commissioners the cap is currently 4, and for assistant commissioners the cap is 10. It also implements in part recommendation 16 of the Rush inquiry, which I will return to in a moment. The bill provides a statutory power for the Chief Commissioner of Police to issue standards of grooming and acceptable clothing accessories for police recruits and protective services officers (PSOs). This is putting into statute the power of the chief commissioner to implement the uniform and appearance policy of the police manual. Police officers can apply for exemptions from the policy on genuine medical, cultural or religious grounds. I will return to these matters in a moment.

At the outset I say that the opposition will not be opposing this bill, but I flag for the debate over the course of the next couple of days that it may propose in the other place an amendment regarding recommendation 53, depending on the conduct of the debate. I will come to the issue I am referring to in a moment.

Firstly, I turn to the police and the removing of the caps on the number of deputy and assistant commissioners that can be appointed. At the beginning I will say that this was something Labor proposed in 2008. It was in the legislation which we proposed and which those opposite opposed, so there is nothing new in the provision to remove the caps; it is something we tried to do, without the support of the coalition, back in 2008. These proposed changes come before us today as a

result of the Rush inquiry. As we have said before, the Rush inquiry was a sham process that was undertaken with only one objective in mind — that was, the removal of the then independent Chief Commissioner of Police, Simon Overland. The Rush inquiry was a cover for this despicable period of behaviour by the Deputy Premier and his office and other members of the government.

I refer to recommendation 16 of the Rush inquiry, which states that the new police act provides that deputy commissioners and assistant commissioners are to be appointed by the chief commissioner, that the maximum term of appointment should continue to be five years and that there should be no limit on the maximum number of deputy commissioners and assistant commissioners. The bill deals in part with that recommendation. It amends section 4 of the Police Regulation Act 1958, which currently states 'Deputy Commissioners (not exceeding four) and ... Assistant Commissioners (not exceeding ten)'. Those caps are simply removed by this bill. In practice this will mean that the chief commissioner will continue to make recommendations to the Governor in Council.

I make the point that it is important that the chief commissioner — whoever it may be — be able to decide the number of deputies and assistant commissioners without government interference. However, it is interesting to read the second-reading speech of the Deputy Premier at the point about the independence of the chief commissioner and the ability of the chief commissioner to make those appointments as he or she sees fit. The speech states 'the chief commissioner will play a significant role in determining the reasonable number of deputy commissioners and assistant commissioners that will be required'. The terminology is 'a significant role'. The Deputy Premier just cannot help himself! For the first 12 months of his administration he was up to his neck in interference in police operational matters and running a campaign against police command. We now have this legislation before us, and again the Deputy Premier is saying that the chief commissioner will not be independent but he can have a significant role — he can have a role!

Mr Delahunty interjected.

Mr MERLINO — This is the commentary of the Deputy Premier, and the Deputy Premier has despicable form in this area. Is he going to tick off who and how many deputy and assistant commissioners there will be? Is he going to veto who will be appointed as deputy commissioner and assistant commissioner? The Deputy Premier has never respected the separation between his office and the independent office of the

chief commissioner, so is he going to tear up the practice of the past and current practice whereby the chief commissioner's recommendations are confirmed by Governor in Council? When he was chief commissioner it was the recommendation of Simon Overland that Sir Ken Jones be made a deputy commissioner. That proceeded through to Governor in Council. That has been the practice in the past. The Deputy Premier is flagging that he will have a role, alongside the chief commissioner, in who will be deputy and assistant commissioners and how many there will be.

I turn to deal with the Rush inquiry. On 23 May 2010 the Premier directed the State Services Authority to conduct a special inquiry into the structure, operations and administration of the senior police command of Victoria Police. This was at the height of the dirty campaign against Simon Overland — the campaign run directly out of the minister's office. It is reflected in large part in the *Crossing the Line* report of the Office of Police Integrity, and there is more information to follow. Jack Rush, QC, was appointed as a commissioner of the authority to lead the inquiry, and the report was tabled in March. Interestingly it was handed to the government in November last year. It is unclear why it took so long for the government to produce the Rush report. Perhaps the answer lies in the fact that there was absolutely nothing damning in the report.

However, it did not matter that there was nothing that damned the former chief commissioner, Simon Overland, because the government had already got his scalp earlier on. It does not matter that the Rush inquiry was the wet lettuce that it was always going to be. The government established the Rush inquiry primarily not to fix police command but to fix Simon Overland. During the Rush inquiry, Ken Lay, the current chief commissioner, said:

... it was almost impossible to be concentrating fully on what was important, and that was keeping the state safe.

Those are the words of the now Chief Commissioner of Police — that it was more important for this government to run a campaign against the independent chief commissioner, Simon Overland, and to absolutely put police command under siege, than to keep the state safe. Those are the words of Victoria's top police officer. The Deputy Premier and his office and other members of the Baillieu government put their vendetta against Simon Overland ahead of ensuring the safety of our state. They will be forever condemned for this disgraceful period in the history of Victoria Police, and the Deputy Premier will be forever diminished. We can

see that now. He has lost the support of the Liberal Party.

Mr Delahunty interjected.

Mr MERLINO — He has lost the support of the Liberal Party, his Liberal colleagues, because so many Liberals have been thrown under the bus to protect the Deputy Premier and Leader of The Nationals. There is a great level of anger and resentment within the Liberal Party, and the Liberals have been forced — the member for Benambra, Liberal officers — —

Mr Newton-Brown interjected.

Mr MERLINO — There is no doubt that there is a high level of anger directed at the Deputy Premier. I have quoted this before, but it is worth repeating again. Ken Lay is reported as having said:

If I go back to that time ... I know Simon said publicly on a number of occasions that we ... were staying focused, but my recollection was that it was an enormously difficult time.

He is further reported as having said:

As a member of police command I felt under siege. I thought Simon was under siege.

He is also reported as having said:

It was as hard a time as I can ever remember for a chief commissioner.

This was a very big part of Simon's decision (to resign), I believe.

Former Deputy Commissioner Kieran Walshe said upon his retirement in February that the:

... hardest part for me was the resignation of Simon Overland. Simon was really committed to policing, committed to delivering for the Victorian community, he certainly was putting the organisation on the path to achieve that ... I've got a lot of respect for Simon and to see him leave in those circumstances was really difficult.

The Rush report made no findings against Simon Overland. There was never any justification for the forced resignation, the effective sacking, of Chief Commissioner Simon Overland — just blind hatred of this man by members of the Baillieu government. The Deputy Premier put on his staff people who he knew had an axe to grind against Simon Overland. He knew he was employing people who wanted to see the back of Simon Overland. That is a fact.

The Office of Police Integrity inquiry that led to the *Crossing the Line* report was unable to investigate the Deputy Premier, his chief of staff, MPs or people other than Tristan Weston who were involved in the

undermining of the chief commissioner, so we await the Ombudsman's report, because there is more information to come. There is a bigger story here about what the minister knew, what he was complicit in and what he allowed to happen. We are waiting for the full involvement of the Deputy Premier and Minister for Police and Emergency Services to come to light.

Earlier in the day we saw the forced and fake cockiness of the Deputy Premier. That may well vanish when we actually see the Ombudsman's report and more information comes to light. Interestingly, the government refused to reveal at the Public Accounts and Estimates Committee hearings whether there is a contingency fund to provide compensation to Simon Overland if it is found that his forced resignation was a result of inappropriate interference or activity within the Minister for Police and Emergency Services's office or the Premier's office. That is something that we are going to keep a close eye on because I think Simon Overland, as with every member of the Victorian community interested in policing in this state, will be very interested in the Ombudsman's report that hopefully will come to light shortly.

Sitting suspended 1.00 p.m. until 2.03 p.m.

Business interrupted pursuant to standing orders.

QUESTIONS WITHOUT NOTICE

Member for Frankston: conduct

Mr ANDREWS (Leader of the Opposition) — My question is to the Premier. I refer the Premier to comments from respected former police officer Charlie Bezzina in today's *Herald Sun*, where he says that the allegation against the member for Frankston:

... appears to be one of obtaining financial advantage by deception —

and —

The police, and not the Speaker, are the best placed people to ascertain if a crime has been committed.

I ask the Premier: will he now refer these matters to Victoria Police?

Dr Napthine — On a point of order, Speaker, with respect to anticipation, I understand the Leader of the Opposition gave notice of a motion this morning, and while I do not have the exact wording of the motion in front of me, I seek your advice as to whether this question goes to the rule of anticipation with respect to

the contents of the motion before the Chair and this house.

Ms Hennessy — On the point of order, Speaker, the notice of motion given by the Leader of the Opposition today did not in fact refer to the police; it referred exclusively to the Speaker's investigation. This was a question from the Leader of the Opposition that relates to a view expressed in this morning's newspaper, and the Premier should indeed answer it. It goes absolutely nowhere near the rule of anticipation, and if such a precedent were to be set, I put it to you, Speaker, that almost all questions without notice, whether they be Dorothy Dixers or from the opposition, would be in breach of that rule of anticipation.

The SPEAKER — Order! I do not uphold the point of order.

Honourable members interjecting.

Mr McIntosh — I raise a further point of order, Speaker, on the issue of whether this is asking for an opinion. I ask for your ruling on whether it is asking for an opinion.

The SPEAKER — Order! I do not uphold that point of order either.

Mr BAILLIEU (Premier) — I thank the Leader of the Opposition for his question. As I indicated yesterday, claims were made in a newspaper on Sunday, and those claims have been referred to you, Speaker, and to the Department of Parliamentary Services. They are claims about members' entitlements, and when members' entitlements have been questioned in the past they have gone to the Speaker and the Department of Parliamentary Services, and that is the appropriate place.

Building industry: Productivity Commission review

Mr NEWTON-BROWN (Pahran) — My question is to the Premier. Can the Premier advise the house of progress with the Council of Australian Government's (COAG) decision to refer the issue of costs in Australia's construction industry to the Productivity Commission?

Mr BAILLIEU (Premier) — As members would be aware, the government has been concerned for some time about the escalating cost of construction. The risk we run is that the escalating cost of construction will price us out of vital infrastructure in the future. The escalating cost of construction is also shaping our cities more than anything else. As members would be aware,

in February last year we raised these issues at COAG. Indeed we also raised these issues at COAG in August last year, and we sought then a Productivity Commission inquiry. The Prime Minister used her authority at those COAG meetings to prevent that from proceeding.

The recent COAG meeting in April this year was preceded by a business forum, and that business forum strongly supported the issues that we raised with regard to construction costs. Not only that but the business forum strongly supported a reference to the Productivity Commission. That mood was then supported at the Council for the Australian Federation, the meeting of states. It was supported at COAG.

Finally at the COAG meeting the Prime Minister allowed a communiqué from COAG to say that:

COAG noted that the heads of treasuries have been asked to undertake analysis of construction industry costs and productivity, and agreed to consider the outcomes of this work through senior officials. Both should occur within a month, including the possibility of referral of one or a combination to the Productivity Commission.

That was on 13 April. More than a month has passed and the commonwealth has not yet done it. We are disappointed in that, and I think the business community and the construction industry are disappointed in that as well.

If I can quote from an article by Robert Gottliebsen in the *Business Spectator* of 22 May, it says that Victoria is:

... leading the nation in taking action to stop the damage to construction industry productivity ...

...

I might add that many of those forces are set to send the cost of building Australian infrastructure, including hospitals, schools roads et cetera, through the roof.

He said the first step to improving non-housing construction productivity must be to address these issues, and the article goes on.

It is very clear that the essential exercise here is to get a handle on construction costs through the Productivity Commission. One thing the Victorian government has done is establish a code of conduct and indeed guidelines for the construction industry in projects sponsored by the Victorian government. Robert Gottliebsen also had this to say:

It's one thing to establish a code of conduct providing these measures and another to make the code work. The Victorian government is likely to make the code of conduct work because they have selected one of the toughest and best

operators in the building business to run the compliance code — Nigel Hadgkiss.

We believe that the compliance unit, the measures we are taking and the Productivity Commission inquiry are important steps. That has been supported by Infrastructure Partnerships Australia, it has been supported by the business community and it has been supported by Jac Nasser, the chairman of BHP, and other commentators, but it is not supported by some. In the last few days some have said we should get rid of that compliance unit, and they have committed to getting rid of that compliance unit.

Mr Andrews — Too right!

Mr BAILLIEU — The Leader of the Opposition has said, 'Too right'. That is right; he would say 'Too right', because he does not care about construction costs, he does not care about the construction industry — and it is the Leader of the Opposition who says we should get rid of that unit.

Member for Frankston: conduct

Mr ANDREWS (Leader of the Opposition) — My question is to the Premier. I ask: has the Premier sought an assurance from the member for Frankston that he, the member for Frankston, has at all times acted appropriately?

Mr Ryan — On a point of order, Speaker, the question from the Leader of the Opposition must relate to government business. The general nature of the question which has been put goes far beyond issues to do with government business, and I ask that you rule it out of order.

Ms Hennessy — On the point of order, Speaker, the question does relate to government business. When the Premier made the decision to refer one of his own members of Parliament for investigation, he in fact owned it as government business. The Leader of the Opposition's question went to the basis upon which he made that referral, and the question goes to whether or not the Premier satisfied himself that the member for Frankston had indeed acted appropriately. It is a matter of government administration.

The SPEAKER — Order! I do not believe it is a matter of government administration.

Mr Andrews — On a point of order, Speaker, the Premier, as the leader of the government, has referred the conduct of the member for Frankston, a member of the government, to you. In doing so, the Premier, as an act of the leader of the government, has clearly defined

the conduct of the member for Frankston as a matter of government business, a matter of concern to the government, a matter relevant to the government and a matter the subject of consideration by the government. If the conduct of the member for Frankston is worthy of investigation, surely it must be a matter of government business whether this Premier has sought assurances from that same member about the character of his conduct.

The SPEAKER — Order! I do not believe that this is a matter of government administration.

Ms Thomson — On a further point of order, Speaker, I am sure if you were to look at precedents where questions have been asked of the Premier in relation to government members, the Premier has chosen to answer those questions. They have not been ruled out, and you have not given us the basis on which you are giving your ruling in relation to those precedents.

Mr Clark — On the point of order, Speaker, the member for Footscray displays a fundamental misunderstanding of the roles of members of Parliament in this house. When reference is made to the government, as far as this house is concerned the government consists of the ministers of the government. A backbencher or an opposition frontbencher is a member of the house, but they are not a member of the government.

The issue that, as I understand it, the Premier has said is appropriate for you to consider rather than for the government to address could, as far as this house is concerned, just as much have been a matter relating to an opposition backbencher as to a backbencher who sits on this side of the house. The point of order is entirely misconceived; simply because a backbencher sitting on the government side of the house is involved does not make it a matter of government administration.

Mr Andrews — Speaker, further on the point of order raised by the member for Footscray and the Attorney-General's response, if the government does not include the member for Frankston and if his conduct is irrelevant to the conduct of government business, on what basis then did the Premier refer the member for Frankston to you for investigation? The Attorney-General has made our argument for us. The Premier, by his referral, has himself defined the member for Frankston and his behaviour as a matter of direct relevance to the business of this government. Therefore a question can be asked, and therefore under the forms of this house the question ought to be answered.

The SPEAKER — Order! I do not uphold the point of order of the member for Footscray. I do not believe that this is a matter of government administration.

Mr Pandazopoulos — On a further point of order, Speaker, this question goes to the use of appropriations to the Parliament. The Premier himself is responsible for the appropriations to Parliament. By deciding to refer to the Speaker of the Parliament a matter of the use of appropriations to Parliament by a member of Parliament, this clearly is within the Premier's responsibility and is clearly a core part of government responsibility. The appropriations to this Parliament come from the government, and there is no doubt that to refer a decision to the Speaker of that same Parliament is an acknowledgement by the Premier himself that it has to do with government responsibility.

The SPEAKER — Order! I do not uphold the point of order.

Mr Nardella — On a point of order, Speaker, I am unclear — —

Honourable members interjecting.

The SPEAKER — Order! The members of the government will come to order.

Mr Wakeling interjected.

Questions interrupted.

SUSPENSION OF MEMBER

Member for Ferntree Gully

The SPEAKER — Order! Under standing order 124, I ask the honourable member for Ferntree Gully to leave the chamber for half an hour.

Honourable member for Ferntree Gully withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Member for Frankston: conduct

Questions resumed.

Mr Nardella — On a point of order, Speaker, I am unclear. I read the decisions by the Chair, I read the standing orders, and when these momentous decisions have been made by a Speaker there has been a reason given by the Speaker in regard to the decision that has been made. I am unclear in regard to why this specific

question has been ruled out of order, and I ask you to explain to the house, and certainly to make it clear to me, on what basis it is not government business.

The SPEAKER — Order! I have ruled that I do not believe it is in regard to government administration.

Honourable members interjecting.

The SPEAKER — Because it is not. It is as simple as that.

Honourable members interjecting.

Ms Hennessy — On a further point of order, Speaker, it would be helpful for the house to understand the basis of your ruling. I understand that the *House of Representatives Practice* is often used and referred to by both yourself and the clerks. Chapter 6 of the *House of Representatives Practice* makes it very clear that:

The Speaker's statements and rulings must be sufficiently clear and authoritative for members to accept them.

It is my submission to you, Speaker, that the absence of a clear and authoritative explanation of the basis upon which you have come to your view that this is not a matter of government business would be unfair. It does seem to me that although a whole range of questions on this issue have been accepted as being relevant to government business and have been ruled in order, this one has not, and I would ask that you provide the house with an explanation as to the basis on which and the characteristics as to why this question is not government business.

Mr O'Brien — On the point of order, Speaker, it may assist the house and the member for Altona if I refer her to *Rulings from the Chair*. It says at page 157 of the volume I have:

Parliamentary administration not the responsibility of the Premier. A question directed to the Premier relating to the expenditure of parliamentary funds was ruled out of order because such expenditure is the responsibility of the Presiding Officers.

It also goes on to give another example of a ruling from the Chair and states:

The Speaker ruled a question to a minister —
a minister, not a backbencher —

concerning his alleged actions in relation to his request to purchase of the stock of a nursery in his electorate, out of order on the grounds that it did not relate to government administration.

Those two examples make it absolutely crystal clear that your initial ruling was correct, Speaker, and the question should remain ruled out of order.

Mr Merlino — On the point of order, Speaker, I refer you to question time yesterday in relation to the ruling that you have made today. Yesterday the Leader of the Opposition asked the Premier:

Why did the Premier refer the conduct of the member for Frankston to the Speaker and not to Victoria Police?

That question was ruled in order. The question was not answered but was responded to by the Premier. The question asked today similarly refers to the referral to Victoria Police; it is a similar question. If yesterday's question in relation to the conduct of the member for Frankston and where that behaviour was referred to — whether it was referred to yourself, Speaker, or to Victoria Police — and the appropriateness of it, was ruled in order, there is no reason the question asked today should not also be ruled in order. We simply seek an explanation as to why the question has not been ruled in order today. What is the difference?

The SPEAKER — Order! I made the ruling today in regard to whether it was in regard to government administration. I say again that I do not believe it is in regard to government administration. I call the member for Mildura.

Regional and rural Victoria: government initiatives

Mr CRISP (Mildura) — My question is to the Deputy Premier and Minister for Regional and Rural Development. Can the minister advise the house on how the coalition government's \$1 billion regional — —

Honourable members interjecting.

The SPEAKER — Order! I have moved on, and I have called the member for Mildura.

Mr CRISP — My question is to the Deputy Premier and Minister for Regional and Rural Development. Can the minister advise the house on how the coalition government's \$1 billion Regional Growth Fund is driving economic activity and industry investment and creating more jobs in regional and rural communities like Mildura?

Mr RYAN (Minister for Regional and Rural Development) — I thank the member for Mildura for his excellent question. Of course supporting the regions, growing jobs and creating better career

opportunities for regional Victorians is a priority for this coalition government. The centrepiece of our endeavours in that regard is our \$1 billion Regional Growth Fund; it has a clear focus on job creation. An excellent example of how the growth fund investment in critical infrastructure is driving the growth we seek can be seen in yesterday's announcement by Rex aviation — Regional Express — to reintroduce direct flights between Mildura and Adelaide, and Mildura and Sydney. It will also mean the company is improving the service it offers between Broken Hill and Mildura.

An important factor in influencing this decision by Regional Express was our investment as a government in a \$6.4 million redevelopment of Mildura Airport. Our government contributed \$5.2 million from the Regional Growth Fund. This will enable the redevelopment of the airport, and that in turn will permit a genuine hub to be developed for regional aviation.

The original intent behind our investment in Mildura was to encourage more airline services into the region. More services and larger planes will lead to greater competition and lower airfares. That will create more economic activity, and in turn that will create more job opportunities. The Rex aviation announcement is a very important step in achieving this objective. With this announcement Mildura will now have direct air links to three capital cities: Adelaide, Melbourne and Sydney. There are very few regional cities throughout Australia that can boast such a capacity.

The services will also create a great opportunity for the tourism industry in Mildura. They will enable more visitors from South Australia and New South Wales to come to this beautiful part of our state. Mildura has many attractions — the Murray River and sport and cultural festivals spread throughout the year — and the city is a gateway to the outback. The new services will make it more convenient for people in Mildura to travel to Adelaide or Sydney. The direct flights will commence on 9 July. The airport project will in itself create 18 new direct jobs and 82 additional indirect jobs in Mildura. In addition there will be 25 jobs created during the construction phase. Work is about to start, and it is intended to be completed by early to mid-2013.

Prior to the election we committed \$3 million to this project. We were hopeful of being able to obtain another \$3 million from the federal government through the Regional Australia Development Fund (RADF). Unfortunately that money did not materialise. When the project was not successful in attracting the commonwealth government's support, we as a government increased our contribution to \$5.2 million.

To its great credit, the Mildura Rural City Council has contributed \$1.2 million to bring the total project cost to \$6.4 million.

The government is also investing \$13.3 million in the Mildura riverfront redevelopment. That is another wonderful project. It will create 36 new direct jobs and 49 additional indirect jobs, and an estimated 32 people will be employed throughout the construction phase of this equally important project. We are waiting on another announcement from the commonwealth on a funding application for this particular project under the RADF. All this is clearly to do with our basic message as a government — we care about regional Victoria. We care. It is not just empty rhetoric; we actually care about it, and that is why we will do these projects.

Member for Frankston: conduct

Mr ANDREWS (Leader of the Opposition) — My question is again to the Premier. I refer him to an answer to a question yesterday where he expressed full confidence in the member for Frankston, and I ask: further to that answer can the Premier detail for the house whether he has spoken to the member for Frankston in relation to allegations that the member for Frankston misused his parliamentary entitlements?

Mr O'Brien — On a point of order, Speaker, given the rulings from the Chair that I referred to in speaking on an earlier point of order, a matter that clearly relates to the expenditure of parliamentary funds is not a matter of government administration. On that basis the question should be ruled out of order, or at least should be reworded so that it clearly relates to government administration, given the rulings from the Chair that expenditure of parliamentary funds is a matter for Presiding Officers, not a matter of government administration.

Mr Andrews — On the point of order, Speaker, I am referring to an answer the Premier happily gave yesterday in response to a question that as a matter of history was allowed, was ruled in order, and I am asking a question directly in relation to the Premier as the leader of the government expressing his full confidence in the member for Frankston. Following that answer, arising material to that answer, I am simply asking the Premier as the leader of the government: has he had a discussion with the member for Frankston in relation to his conduct? That is completely in order, Speaker, I put it to you. If it was in order yesterday, asked and answered, surely it is in order today.

The SPEAKER — Order! I do not believe it is in regard to government administration.

Ms Thomson — On a point of order, Speaker, we could not help but notice from here that there was some pause before the minister got to his feet to put his point of order. The question that was put to the Premier yesterday was answered; what is sought is some detail as to the reasons that matter was referred to you — why the conduct of the member for Frankston was in fact sent to you to inquire into. The detail of that is relevant to the question that was asked yesterday. It is fully in accordance with government business, because the Premier himself took on the responsibility of referring that matter to you. Therefore it is quite within the realm of government business for him to answer.

The SPEAKER — Order! I do not believe it is in regard to government administration.

Ms Hennessy — On a further point of order, Speaker, yesterday the Premier expressed his full confidence in the member for Frankston; today the Leader of the Opposition asked about the basis of that full confidence. If you are going to rule that it is a matter of government administration on a Tuesday but not on a Wednesday, it is incumbent on you to detail to the house the basis on which you made that ruling.

The SPEAKER — Order! The ruling I have given is that I do not believe the question that was asked today related to government administration.

Mr Andrews — On a further point of order, Speaker, I respect your right and your entitlement to make a ruling, but — —

Honourable members interjecting.

Mr Andrews — I am being clear about that — I do. Equally, I think it is not unreasonable, Speaker, with the greatest of respect, if I can put it to you that these matters are very important given that you have had referred to you and you are indeed conducting an investigation into the member for Frankston. I put it to you that it is important — very important — in the context of that investigation and the discharge of your duties, as the Premier and you seem to agree, that you explain to the house and put forward for the record the basis on which you have made that ruling and other rulings today.

This is not simply a ruling in isolation, Speaker, this is a ruling about a question as to the conduct of the member for Frankston and the ruling is being made by the very person who is conducting the investigation into the conduct of the member for Frankston. There is a special import, if you like, in relation to these rulings, and I respectfully put it to you, Speaker, that it does not serve this house well now or for the future if rulings are made

and we are not given the basis of those rulings. That is my submission to you, and I would ask that you take that into consideration.

The SPEAKER — Order! I have made the ruling on the basis that I believe it has been asked of me and of the Department of Parliamentary Services to look at the use of parliamentary entitlements, which is not government business but is in fact parliamentary business. That is the reason I have ruled the way I have today.

Mr Merlino — On a point of order, Speaker, regarding the ruling you have made and the fact that the referral the Premier gave to you and to the Department of Parliamentary Services was made before question time yesterday, so that you already had the referral from the Premier to investigate the behaviour of the member for Frankston. The question put by the Leader of the Opposition yesterday asked, ‘Does the Premier have full confidence in the member for Frankston?’, and it was answered without any commentary from you as to whether it was in order or not, so it was clearly in order.

How then can it be that a question today that refers back to that question which was in order is somehow not in order? Has something changed in the last 24 hours? It cannot be on the basis of the referral of this matter to you from the Premier, because that was made public on Sunday, not yesterday, Tuesday. I do not understand the basis on which it is out of order today yet was in order yesterday.

Mr Clark — On the point of order, Speaker, the Deputy Leader of the Opposition fundamentally misunderstands the respective roles of government and Parliament. As you indicated in your previous ruling, this is a matter that comes within your responsibility as the Presiding Officer of this house in relation to the administration of the Parliament. Your authority does not derive from the fact that the Premier has drawn this matter to your attention; your authority derives from your office as the Speaker of this chamber and as one of the Presiding Officers of the Parliament with the responsibility for Parliamentary Services. The entire premise of the Deputy Leader of the Opposition’s point of order is misconceived.

Ms Campbell — I am raising my point of order and making my contribution to the debate straight after the Attorney-General. The matters that are before the house go to the Crimes Act. The Attorney-General knows that that is the responsibility of not only the Attorney-General but of the leader of the government, the Premier. I put it to you, Speaker, that the Crimes

Act and matters relating to it are relevant for the Premier to answer.

The SPEAKER — Order! I do not uphold the member's point of order. There is an issue that is before me and Parliamentary Services at the moment — —

An honourable member — It has been for a number of days.

The SPEAKER — Order! Since Sunday.

Rail: Melbourne Metro tunnel

Ms MILLER (Bentleigh) — My question is to the Minister for Public Transport. Can the minister inform the house of actions the government is taking to progress the Melbourne Metro rail project?

Mr MULDER (Minister for Public Transport) — I thank the member for Bentleigh for her question in relation to government business and for her very strong interest in public transport. No-one would be more aware than the member for Bentleigh of how important it is to ensure that your community is well serviced by public transport in terms of both punctuality and additional services. Of course we are well aware of the fate of the former member for Bentleigh, whose failure to get the support of the former government cost him the seat of Bentleigh. The member would be absolutely aware of that fact.

The simple fact is that the state budget that has just been handed down by the Baillieu government has allocated \$49.7 million towards advancing the Melbourne Metro tunnel. This comes on top of \$40 million of funding provided by the federal government. That money is being drawn down in two tranches of \$20 million each to take the project to a stage where we can start to move on to statutory planning. I point out to you, Speaker, and to the house, that the \$49.7 million allocated to this project is the first lump sum of money that has been provided by a state government — either a Labor or a Liberal-National coalition government — in Victoria for what is a very important project.

Once again we had to intervene in this project and rescope it to get better value for taxpayers. We have turned it from a two-stage project into a single-stage project with a link between South Kensington and South Yarra. It opens up opportunities for new stations and for urban growth and provides the extra capacity to carry around 24 000 passengers each hour from the growth areas of Wyndham, Hume, Sunbury, Casey and Cardinia.

Of course we sought additional funding from the last federal government budget to take the project forward into the construction phase. We were naturally extremely disappointed that we did not get any money in that budget. You would have to ask yourself whether there was negotiation going on behind closed doors with the Labor Party in Victoria that did not throw its support behind the project. We asked for \$30 million — —

Mr Nardella — On a point of order, Speaker, I ask you to bring the minister back to answering the question on government business.

The SPEAKER — Order! I do not uphold the point of order.

Mr Nardella — On a further point of order, Speaker, referring to the Labor Party and what it does or does not do is not government business. The question was asked in regard to government business; it was not about attacking the opposition. Again I ask you to bring the minister back to answering the question about government business.

Mr Clark — On the point of order, Speaker, as I understood the point being made by the Minister for Public Transport, he was talking about the context in which he was acting on behalf of the government, given the lack of support from the other side of the chamber. That is a comment that relates squarely to government administration.

The SPEAKER — Order! I do not uphold the point of order raised by the member for Melton. I call the minister back to his answer.

Mr MULDER — There was \$30 million sought to develop the east–west link, \$30 million to develop the Avalon Airport rail link, \$30 million for the Dandenong rail capacity project and \$16 million to develop plans for the removal of level crossings. Unfortunately we did not get any support from the federal Labor government, which is quite extraordinary when you think about it because \$40 million was provided in the past by a Queensland-based Prime Minister. When Kevin Rudd supported the Victorian government, \$3.2 billion was provided for the regional rail link project. A Queensland-based Prime Minister put money into the Victorian economy, yet we went to the federal government and asked for assistance from a Victorian-based Prime Minister and we got nothing. Is it any wonder? Labor cares they say; they do not care about Victoria; they do not care about Melbourne.

Mr Nardella — On a point of order, Speaker, I again ask you to bring the minister back to answering

the question. ‘Labor cares’ or whatever —

Honourable members interjecting.

The SPEAKER — Order! Points of order will be heard in silence.

Mr Nardella — An attack on the opposition is not government business. I ask you, Speaker, again, to bring the minister back to answering the question on government business.

Dr Napthine — On the point of order, Speaker, I think the minister was actually referring to the federal Labor government. If that cap fits the Labor Party on the other side of the chamber as well, perhaps it ought to be raised as well, but the minister was referring to the federal Labor government and its lack of care for Victoria and its lack of funding for Victorian projects. It is absolutely relevant to answering the question.

Ms Hennessy — On the point of order, Speaker, you would be familiar with *Rulings from the Chair*, particularly page 163, where there is a reference to former Speakers Coghill, Delzoppo and Maddigan all significantly ruling that question time should not be used as a vehicle to attack the opposition. There is no conceivable way the diatribe coming from the other side of the house could constitute government administration when a question about a matter of serious public integrity that has been put to the Premier has been ruled out of order several times today. I ask you, Speaker, to rule accordingly.

The SPEAKER — Order! I do not uphold the point of order.

Mr MULDER — As I was saying, there is to be no funding at all from the federal government in relation to the Melbourne Metro tunnel project, and there has been a deferral of \$500 million for the regional rail link project. Not only did we get nothing but we also got money ripped out of us in Victoria; again we got money taken out of us. On top of that, all we seem to have in terms of commentary is road and rail mockers and blockers and speed humps on the road to prosperity in this state. It is all coming from the other side. There is no support, and we need that support.

The SPEAKER — Order! The minister will resume his seat.

Public sector: job losses

Mr PALLAS (Tarnait) — My question is to the Premier. I refer the Premier to the Treasurer’s statement

to the Public Accounts and Estimates Committee that targeted separation packages, otherwise known as compulsory redundancies, would be a last resort, and I ask: if compulsory redundancies are a last resort, why have hundreds of staff members of the Department of Health been asked to attend an information session on compulsory redundancies?

Mr BAILLIEU (Premier) — I thank the member for his question. As members know, the government has moved through the sustainable government initiative and other initiatives to reduce the size of the core public service to 2007–08 levels. A process is being undertaken through all departments to work that through with relevant members of those departments. That is proceeding in accordance with the arrangements that have been in place in the past and are in place now.

Murray-Darling Basin: federal plan

Mr TILLEY (Benambra) — My question is to Minister for Water. Can the minister inform the house of the recent modelling of environmental outcomes undertaken in relation to the Murray-Darling Basin and its impact on future Murray-Darling Basin plan?

Mr WALSH (Minister for Water) — I thank the member for Benambra for his question. He is a member who has a very keen interest in making sure there is a good outcome in relation to the Murray-Darling Basin plan for Victoria.

As members would know, the Murray-Darling Basin plan is close to finalisation. The public consultation period run by the Murray-Darling Basin Authority finished on 16 April. Victoria has been asking the authority through that process to do additional modelling to see if environmental outcomes can be achieved through the smarter and more efficient use of water. That work was not being done, so the Victorian government obtained the actual model that the Murray-Darling Basin authority uses and employed SKM, a reputable consulting firm in this particular area, to run that model on Victoria’s behalf.

When the Victorian government ran it, the model showed that there were no significant differences in environmental outcomes for the lower lakes in South Australia between 2100 and 2750 gegalitres. The model confirmed that the health of the Murray River can be serviced with 2100 gegalitres instead of 2750 gegalitres by using environmental entitlements more efficiently. The modelling showed that this would save the commonwealth \$1.3 billion in having to purchase additional water. That money could be spent doing environmental works and measures that would achieve

good environmental outcomes for the Murray-Darling Basin. It would achieve the environmental outcomes that are described in the plan at 2750 gigalitres, and it would leave more water for producing food in this state. It would save jobs in northern Victoria instead of that water being taken away and destroying jobs. It would assist the communities of northern Victoria rather than detract from them. It would help the whole economy of Victoria by creating economic activity in the future.

What is very disappointing about this is the position of South Australia in this debate and the comments attributed to the Premier of South Australia yesterday that he is still considering a High Court challenge to the plan. Before the discussions are finished, he is still considering a High Court challenge. He was quoted as saying, 'We have instructed our solicitors to put us into a state of readiness'. I am very disappointed that South Australia is not engaging constructively in the discussion about how we can achieve a Murray-Darling Basin plan that is balanced with respect to the environment and the socioeconomic issues right across the plan.

Victoria is prepared to work to achieve a good result on this plan, and we have demonstrated that by having this modelling done and by engaging in the process constructively. This is not just about an amount of water; it is about how that water is obtained in terms of an environmental outcome. What I would say to opposition members here in Victoria is if they cared about jobs in Victoria, they would come on board and assist us to get a good outcome in the plan.

Higher education: TAFE funding

Mr ANDREWS (Leader of the Opposition) — My question is to the Premier. Can the Premier guarantee that no TAFE campus will close because of his government's cutbacks to TAFE?

Mr BAILLIEU (Premier) — As we have indicated, vocational education and training in this state has to change. It has to change because the previous government introduced changes to vocational education but did not provide the funding for that. The blow-outs in vocational funding as a result of the model the previous government introduced were the equivalent of a myki blow-out on an annual basis. That is simply an unsustainable model that has been recognised widely in the vocational sector and even through the commonwealth government. Those changes will mean there will now be more than \$1 billion extra in funding for vocational education over the forward estimates, but it will be on a sustainable basis and will be focused on

quality trainers, quality training and quality outcomes for industries.

Mr Merlino — On a point of order, Speaker, the Premier has had ample opportunity to get to the answer to this very simple and clear question. My point of order is that the Premier is not being relevant to the question. The question related only to TAFE campus closures and whether the Premier can guarantee there will be none, yes or no. It was a very clear, very simple question.

The SPEAKER — Order! I believe the answer was relevant to the question asked.

Mr BAILLIEU — Since the budget, the minister and the department have been working through the consequences for all vocational providers and familiarising them with the model and indeed the new bands of funding. Some of those bandings have increased levels of funding. They are the courses that are in demand. They are the courses that fit industry. Since the announcement the minister and the department have been meeting with the senior management of every TAFE in the state, and that will continue.

A major part of those meetings which has been very constructive is the discussion of how those particular TAFEs will manage the changes they need to undertake to address the opportunities which now present themselves to TAFEs and to the vocational sector. I am not going to pre-empt the outcome of any of those discussions. These questions have been raised in the Public Accounts and Estimates Committee hearings and with the minister and others, and we will work through — —

Mr Andrews interjected.

The SPEAKER — Order! The Leader of the Opposition asked his question.

Mr Andrews interjected.

The SPEAKER — Order! The Premier can answer the question the way he sees fit.

Mr BAILLIEU — We want to put vocational education in Victoria on a sustainable footing for the future. That is absolutely essential and recognised by everybody in the industry.

Mr Andrews interjected.

The SPEAKER — Order! The Leader of the Opposition should not push it.

Mr BAILLIEU — TAFE college leaders have indicated that. Even last year they said that blind Freddy could see there was a problem — that this would be an unsustainable model. Indeed the previous government was warned by the opposition, warned by TAFE colleges and warned widely across the sector that it had got it wrong. This has to change. We will put vocational education on a sound footing, and I am not going to pre-empt the outcome. There are opportunities, given the increasing level of support over the budget that was provided by the previous government. Those opportunities need to be taken, and those changes need to be made.

Carbon tax: economic impact

Mr BURGESS (Hastings) — My question is to the Minister for Energy and Resources. Can the minister inform the house of action the government is taking to protect Victorians from the federal government's impending carbon tax, and is the minister aware of other, alternative policy views?

Mr O'BRIEN (Minister for Energy and Resources) — I thank the member for Hastings for his question and for his interest in the impact of the carbon tax on Victorians. The latest budget handed down by the Treasurer provided for a new initiative: \$9.5 million over three years to facilitate the low-emission transition. This funding is to seek to address real concerns Victoria has about the implications of the federal Labor government carbon tax on energy security and mine site rehabilitation. This funding will assist us to manage the risks to energy supply, manage the risks to coalmines and review the risk of future state liabilities, including forecasting energy market scenarios.

Unfortunately it is quite obvious that the carbon tax is already having significant impacts on Victorian employment. On 1 May this year Industrial Energy Pty Ltd issued a press release entitled 'Victorian brown coal briquettes — review'. It states in part:

Industrial Energy Pty Ltd ... announced today that the future of its Latrobe Valley brown coal briquette manufacturing and supply business was under review.

Industrial Energy general manager Tony Ferguson said, 'With the introduction of the carbon tax on 1 July 2012, the future of Victoria's only brown coal briquette manufacturer is expected to be unsustainable under a business as usual scenario ...

It goes on to say:

The briquetting operation employs directly and indirectly approximately 200 people within the Latrobe Valley, while our customers (excluding the power stations) employ over

2500 people in regional Victoria, South Australia and Tasmania.

Already we have a briquette manufacturer with 200 jobs on the line and under review because the company believes the carbon tax will make its business unsustainable. On top of that we have the contracts for closure that the federal government is seeking to conclude by 30 June this year. At the moment we see that both Yallourn and Hazelwood are in the gun for those contracts for closure. Hazelwood employs about 840 people directly and indirectly; Yallourn employs about 520 people directly and indirectly. These jobs are at serious risk as a result of the federal government's carbon tax.

I was watching TV the other night and I saw the glossy prime time ads the federal government is running. It turns out it is spending \$36 million on carbon tax ads, but in those carbon tax ads two words are not mentioned. Those words begin with 'c' and 't'.

Honourable members interjecting.

The SPEAKER — Order! I want to hear what the two words are.

Mr O'BRIEN — They begin with 'c' and 't' and they are not 'Craig Thomson', they are 'carbon tax'. Thirty-six million dollars of carbon tax ads do not mention the carbon tax.

Mr Nardella — On a point of order, Speaker, you previously ruled on a matter from the honourable member for South-West Coast in regard to anticipation. I bring to your attention notice of motion 308, which refers to 'the carbon tax escalating costs of living and expected job losses for Victorian families'. The question being asked and the answer being given are, in fact, in anticipation of this motion that will be before the house. I ask you to rule that this question is out of order and that the Minister for Energy and Resources sit down.

The SPEAKER — Order! I do not uphold the point of order on the basis that 'in anticipation' relates to something that will be heard in the near future.

Mr O'BRIEN — Thirty-six million dollars has been spent on carbon tax ads that do not mention the carbon tax. It seems that for Labor the carbon tax really is the love that dare not speak its name. Labor members love the carbon tax, but they are not prepared to actually refer to it in their \$36 million worth of ads.

Mr Nardella — On a point of order, Speaker, I again ask you to bring the Minister for Energy and

Resources back to answering the question on government business. He is now debating the question. I ask you to bring him back to answering it.

The SPEAKER — Order! The answer is relevant to the question that was asked, which was in regard to the carbon tax and the effect it will have on the Victorian economy.

Mr O'BRIEN — While the federal government is spending about \$36 million on carbon tax ads, the Victorian government is spending \$9.5 million on real work trying to secure our energy supplies, trying to secure the mines and trying to secure the jobs in the Latrobe Valley and right across Victoria that are under threat because of Labor's carbon tax. If those opposite cared about Victoria, they would stand up against the carbon tax, which is hurting this state.

POLICE AND EMERGENCY MANAGEMENT LEGISLATION AMENDMENT BILL 2012

Second reading

Debate resumed.

Mr MERLINO (Monbulk) — Before lunch I was referring to the sham that was the Rush inquiry, whose only purpose was to increase the temperature on the campaign against the former Chief Commissioner of Police, Simon Overland. That was its only purpose. But there was something interesting that came out of the — —

Mr Mulder interjected.

Mr MERLINO — The Minister for Roads says we should get over the campaign run by the Deputy Premier, his office and other members of the government against the independent Chief Commissioner of Police. Well, we will not get over it until the full details of that sordid affair and of the involvement of the Deputy Premier, his chief of staff and members of the Premier's private office come to light. Once those details come through, then perhaps we will move on. But I can assure the minister, the Deputy Premier and every member of the Baillieu government that we will not be moving on from this. They are to be condemned for the campaign run against the independent Chief Commissioner of Police.

Some interesting comments were made in the Rush inquiry about unsworn police and job cuts. The Rush report highlighted that many sworn police are sitting behind desks doing non-operational jobs when they

should be out on the streets maintaining law and order. We dealt with this when we were in government. We pre-empted this issue in the 2010–11 budget when we provided \$74 million over four years to recruit an additional 200 unsworn Victorian public service staff for Victoria Police so that 200 sworn officers could be taken from behind the desk and put into front-line roles.

This government is axing 4200 jobs from the public sector and it was revealed through the Public Accounts and Estimates Committee that Victoria Police must find \$68 million in savings by 30 June next year. There was an article in the *Age* of 8 January 2012 which referred to an email from the chief commissioner about the necessary cuts to the 2740 unsworn police workers and the creation of two senior executive positions to enforce the 'very challenging' targets set by the government.

The opposition understands that around 350 unsworn roles have to be stripped from Victoria Police. Given the cuts to jobs and the reduced police budget it is inconceivable that there will not be police officers taken off the streets and asked to perform the work of the sacked, unsworn Victoria Police staff. So we have white shirts being sacked and blue shirts being taken from the front line into behind the desk roles.

There are also amendments in regard to uniform and appearance. The opposition supports the broad purpose and intent of the uniform and appearance policy. It is important that the appearance of Victoria Police officers should portray a professional and favourable image. There is broad support for these changes, the plans for which have been under way for quite some time. There is broad support from the Police Association, police officers and the public. I know Chief Commissioner of Police Ken Lay has made comments on the public record about the huge array of configurations of the uniform that are currently available for police officers, and we think it is a good idea that there be fewer uniform options, that the uniform be simpler and that it be more visually appealing and clearer to the broader Victorian community.

I now make the point which we made during the briefing from the Department of Justice that it is important to ensure that exemptions for sex, gender identity, physical features and religious belief are available under this arrangement and are monitored. This is reflecting the policy and providing the chief commissioner with this statutory power. I thank the department and the ministerial office for providing me with some assurances in regard to those exemptions. Whether they relate to a kirpan for someone of the Sikh faith or a headdress for a variety of other faiths, those

exemptions will be reflected in the policy and in the spirit of the legislation, and that is a good thing.

I will now move to emergency management and bushfires, and I think it is important for this debate to be clear about what was promised before the election by those opposite. There are a number of quotes in regard to the bushfire royal commission. The Premier, who was then the Leader of the Opposition, said on 3 August 2010:

There are 67 recommendations, we accept them and we'll implement them.

Again, on 2 August he said they should be accepted 'lock, stock and barrel'. The current Premier said on 17 August 2010:

The Victorian Liberal-Nationals coalition will implement in government each and every recommendation made by the royal commission.

The Leader of The Nationals, now Deputy Premier, said in September 2010:

I emphasise, as I have before in this place ... that this is not a supermarket; the government cannot pick and choose.

The Leader of The Nationals is reported to have said on 1 August 2010:

... the whole of these recommendations need to be taken in their totality. I don't believe you can pick and choose.

That is an important quote. The rhetoric that we heard from those opposite before the election is not matched by the government's delivery in implementing the recommendations of the bushfire royal commission. The Deputy Premier has not kept pace with the implementation. I have just a couple of examples. In relation to the bushfire royal commission recommendation 4, around neighbourhood safer places, the current Deputy Premier said on 3 March 2010:

The state government must use every measure possible to ensure bushfire-prone communities have a place of last resort to shelter from fires.

Last fire season, in 2011–12, 26 of the 52 most at-risk townships did not have a neighbourhood safer place (NSP), and Municipal Association Victoria chief executive Rob Spence said government funding was well short of the true cost of establishing NSPs. This is an issue that I have a deep interest in, representing as I do the region of the Dandenong Ranges, and I know that this is an issue that you also have a deep interest in, Deputy Speaker, as you represent the Yarra Valley in the shire of Yarra Ranges.

I will go to bushfire royal commission recommendation 8 around incident control centres. The now Deputy Premier said on 6 October 2009:

If ICC —

incident control centre —

staff are not adequately qualified it will again leave Victoria dangerously unprepared this bushfire season ...

Where are we? The bushfire royal commission implementation monitor stated it:

... is not satisfied with the slow progress in completing these upgrades.

That refers to the incident control centres and recommendation 8.

On recommendation 20, in relation to aerial preparedness, the current Premier said on 2 August 2010 'lock, stock and barrel' in regard to the recommendations.

The Baillieu government has failed to have the two new forward-looking infrared cameras capable of being attached to any available helicopter in place for operation before the 2011–12 bushfire season. In regard to bushfire recommendation 22, on radio networks, the Premier said:

The Victorian Liberal-National coalition will implement in government each and every recommendation made by the royal commission.

The interconnection of the Department of Sustainability and Environment (DSE) and Country Fire Authority (CFA) radio networks was to be completed by 30 June last year. The Baillieu government has failed to meet that deadline and can only say that this will be completed sometime between 2012 and 2016. These are just a few examples of this government not keeping pace with the implementation requirements under the bushfire recommendations. As I said, there are still concerns relating to other issues such as shelter options, township protection plans and evacuation arrangements for vulnerable people. On vulnerable people, last year the Minister for Community Services was not aware that that particular recommendation was her portfolio responsibility.

I turn now to the detail of the bill and what it does in terms of the extension of the role of the bushfires royal commission implementation monitor to September 2014. Given that the bushfires royal commission recommendations are not yet all implemented, the opposition does agree that the reporting should be extended until such a time as they are all implemented.

Hopefully that will be the case by September 2014. If they are not all implemented, obviously the monitor role will need to be extended again. We make the point that the rhetoric of those opposite has not matched the energy, the resources and the commitment required to deliver on the recommendations, and for that they should be condemned.

We have a concern about the expansion of the reporting criteria and the minister being the only person allowed to refer matters to the monitor for further reporting. In the departmental briefing we were told that the minister may ask the monitor to deal with, investigate and report on other matters not directly related to the recommendations but obviously connected to bushfire preparedness. We have a concern that it is only the minister who may refer other matters to the monitor. An additional two annual reports will be provided as part of the extension of the monitor, and we are concerned about the politicisation of those documents with the minister having the ability to ask the monitor to report on extra initiatives that may show the government in a good light — the things that it has done according to its time lines — and to not report on things that have not gone to plan but are vital for bushfire preparedness.

This includes things such as the maintenance of neighbourhood safer places, which communities will receive upgrades to their single wire earth return lines or 22-kilovolt powerlines — and we know the government has already walked away from its promise to replace or underground all of the powerlines across the state — and how the government plans to protect the surrounding land that it has bought back if the maintenance of that land falls behind and puts even more lives risk. We need to know what the maintenance arrangements are. This is a significant issue in my local community in the Dandenongs. It would make the fire risk worse if people moved out of a residence and all of a sudden there were two properties with one big property in the middle that was not being maintained by anyone. This is a serious issue.

There is also the completion and upgrading of all 155 divisional command centres, the equipping of helicopters with infrared cameras and the delay in delivering the interconnection between the DSE and CFA radio systems. We would suggest a whole range of things should be referred to the monitor to report on. We have a concern that only the minister has the ability to raise other matters with the monitor beyond the bushfire royal commission recommendations.

At the very beginning I mentioned that we would foreshadow the possibility of an amendment. That is in

regard to recommendation 53. There were four parts to recommendation 53:

... to require that a vendor's statement include whether the land is in a designated bushfire-prone area, a statement about the standard (if any) to which the dwelling was constructed, the bushfire attack level assessment at the time of construction ... and a current bushfire attack level assessment of the site of the dwelling.

The government is only adopting the easiest option, which is requiring a statement in the vendor's statement. We think that is a good thing, and we agreed with that. Coming from bushfire communities I know it is important that people moving in use every opportunity to make themselves aware of the risk of living in the Dandenong Ranges, the Macedon Ranges or wherever it may be. There should be a greater level of awareness, so we agree with that. The issue is that that is the only thing out of recommendation 53 that the government is adopting.

The former Labor government also made a commitment. I refer to the Labor government's response to the bushfires royal commission, which states:

If an assessment of the bushfire attack level has been made for a property, then the bushfire attack level information will be included on the section 32 statement.

We committed further with regard to recommendation 53 than those opposite. In the second-reading debate we are undertaking now I would be very interested to hear, and will hopefully hear, from the minister responsible their response to that particular issue. I foreshadow that, depending on the debate and the responses from the government, there will possibly be amendments moved in the other place to reflect an expansion of the response to recommendation 53. This government promised to deliver all the recommendations lock, stock and barrel. It has not delivered that with regard to recommendation 53, which is what this bill is all about. Apart from that, we do not oppose the bill.

Dr SYKES (Benalla) — I wish to contribute to the debate on the Police and Emergency Management Legislation Amendment Bill 2012. I commence by welcoming the fact that the Labor opposition, through the member for Monbulk, has indicated that it will not be opposing this bill, whilst it is retaining the right to move an amendment on one aspect of it. As the member for Monbulk outlined, there are five purposes of the bill, which I will come back to. I make it clear that this is part of the coalition government's commitment to implementing all 67 recommendations of the 2009 Victorian Bushfires Royal Commission and

our commitment to implementing 24 of the 25 recommendations from the Rush inquiry.

Before I address the bill I would like to respond to some of the comments made by the member for Monbulk. First of all, I reject his claim that the Rush inquiry was, in his words, 'a sham and a campaign against Simon Overland'. I have the Rush inquiry report, and the government's response, with me. If the member for Monbulk were to look at the terms of reference of the Rush inquiry, he would see that it was to inquire into:

... the effectiveness and functions of the senior structure of Victoria Police command.

... the extent to which the senior command structure of Victoria Police provide the future capabilities to deliver best practice policing.

And thirdly:

... the extent to which Victoria Police has the command management structure to deliver major IT and administrative functions.

That is looking forward. If you look at the recommendations from the Rush inquiry, you will see that there are many criticisms of the police command structure that functioned under the 11 years of the previous government. So I have no doubt that this inquiry made a valuable contribution to the improvement of policing in Victoria, and I reject outright the assertion by the member for Monbulk that this was a sham. I also reject absolutely the criticisms by the member for Monbulk of the Deputy Premier. The Deputy Premier is a man of great integrity, he is a great leader and he is a man who has demonstrated his ability to get things done.

In his contribution the member for Monbulk also highlighted the importance of keeping the state safe. Yet this is the man who derided the protective services officers — stooping so low as to refer to them as 'plastic police'. I have difficulty in reconciling a member making a statement about the importance of keeping Victoria safe and being so derisive about our protective services officers, who are here around this place protecting our wellbeing. In contrast, the coalition has made a clear commitment that we are in the process of delivering on — that is, to deliver an extra 1700 police and 940 protective services officers to keep Victoria safe.

It was interesting to hear the criticisms by the member for Monbulk that the coalition government has not yet implemented all 67 recommendations of the bushfires royal commission. Clearly there are many complex

issues associated with the bushfires and the recommendations that have come out of such an extensive review. I remind all those in the house, particularly the member for Monbulk, that during the 11 years of the Labor government there were two megafires, each burning in excess of half a million hectares — one in 2003 and another in 2006–07. I am unaware of many actions taken by the Labor government during its 11 years to put in place measures to substantially reduce the risk of the impact of major fires or improve our ability to respond.

I take for example the issue of fuel reduction. The constant call from the 2009 Victorian Bushfires Royal Commission was the need to ramp up fuel reduction burning to 385 000 hectares a year. Under the Labor government we did not get within cooee of that target. I find it hypocritical for the opposition to come in here and tell us that we are not implementing all 67 of the commission's recommendations when in its 11 years, during which there were two major bushfires, very little was done to improve our level of protectedness or our ability to respond.

I now move to the particular purposes of the bill. One of them is to extend the Victorian Bushfires Royal Commission Implementation Monitor, the powers of which currently sunset on 30 September 2012. It is generally agreed that there is more to be done on the issues raised by the commission and that it is absolutely appropriate for the powers to be extended for another couple of years so that the various works that are in progress, and more that may be identified, can be completed and so that our recovery is as complete as it can be.

I will also pick up on a point raised by the member for Monbulk. Many of us are very aware of the ongoing suffering of people who suffered during the bushfires, and our hearts go out to them as they grapple with what must have been an absolutely terrifying experience. Obviously many of them are continuing to be haunted by those experiences and by the recovery process. I want to make it very clear that my heart goes out to those people. I know that the Deputy Premier met with a number of people last night to work with them to ensure that the maximum support will continue to be delivered so that we can get them through their very tough times.

In relation to the operational management of bushfires, one of the purposes of this bill is to enable the powers of the chief officer of the Country Fire Authority (CFA) to be delegated to other people, including the Department of Sustainability and Environment's (DSE) network, emergency organisation partners such as the

Department of Primary Industries, the Department of Planning and Community Development, Parks Victoria, VicForests and Melbourne Water, as well as interstate and international land management and firefighting personnel. That is absolutely critical, because when we have these big fires we quickly exhaust our capacity to respond. Increasingly we are working in a cooperative manner with people from other agencies. We are not just relying on the expertise of CFA and DSE staff. We are also looking for support from other agencies, and it is being delivered in a very expert form, but we are also getting support from interstate and overseas. That is the way it is heading. It is working well, and the extension of this power to people coming in from overseas and from other agencies will mean that we can respond better.

Similarly in relation to the police, recommendation 16 of the Rush inquiry calls for the removal of the cap on the number of deputy commissioners, currently set at four, and assistant commissioners, currently set at 10. In doing that, this bill will enable the Chief Commissioner of Police to put in place an appropriate command structure that embraces the recommendations of the Rush inquiry and sets the police force up in a way that can deliver the safety that we require, the ability to participate in emergency response and the many other vital roles our police are involved in. Again this is a common-sense proposition, which is supported by the opposition.

We note the opposition support's for the ability to empower the Chief Commissioner of Police to apply standards for dress and appearance. If you are going to be out there policing, it is very appropriate that there be a standard of appearance and dress that ensures that the public has confidence and respect for the uniform and the person wearing the uniform. As has been mentioned, there is provision for exemption based on cultural, religious, gender identity and other grounds, which is a practical, common-sense provision.

The other part of this bill relates to the requirement under section 32 of the Sale of Land Act 1962 to declare the bushfire risk to the purchaser. Whilst there has been some discussion about how that can best be achieved, we have made a judgement in government that a declaration of that risk should be provided and that the prospective purchaser should be encouraged to make their own inquiries so that they are satisfied that they are not taking undue risks. I wish this bill a speedy passage.

Mr McGuire (Broadmeadows) — I rise to make a contribution on the Police and Emergency Management Legislation Amendment Bill 2012. From the outset let

me make it clear that Labor will not be opposing this bill in the Assembly. However, our support in the upper house will be contingent on an amendment to section 32 in relation to the 2009 Victorian Bushfires Royal Commission, as outlined admirably by our lead speaker and deputy leader.

Put simply, this is a broad-ranging bill. It makes several changes to police and emergency services. These include amendments to the Police Regulation Act 1958 to revoke the caps on the number of deputy and assistant commissioners of police. The Chief Commissioner of Police is to be provided with statutory power to issue standards of dress and grooming that are acceptable to police, recruits and protective services officers. This seems fair enough — if it is a uniform, it should be uniform. Another change is the extension of the Bushfires Royal Commission Implementation Monitor Act 2011 to 30 September 2014, which also seems fair enough. The bill also adds additional reporting requirements, which again are in the public interest and should be pursued.

The bill amends the Sale of Land Act 1962 in relation to recommendation 53 of the 2009 Victorian Bushfires Royal Commission, and it makes changes to the Country Fire Authority Act 1958 to grant the Secretary of the Department of Sustainability and Environment the power to appoint other personnel to exercise the powers of the Country Fire Authority chief officer if the CFA is not present in the area. Most of these changes are noncontroversial and will be supported.

In my contribution today I would like to focus on the amendments to the Police Regulation Act 1958. This amendment is in line with the findings of the Rush inquiry and also with the wishes of police command. However, there is a key issue of concern.

Recommendation 16 of the Rush inquiry states:

That the new police act provide that deputy commissioners and assistant commissioners are to be appointed by the chief commissioner. The maximum term of appointment should continue to be 5 years. There should be no limit on the maximum number of deputy commissioners and assistant commissioners.

The important principle here is that the Chief Commissioner of Police be able to decide the number of deputy and assistant commissioners without government interference. In this sense the language of the Deputy Premier and Minister for Police and Emergency Service in his second-reading speech is of concern. The speech states:

... the chief commissioner will play a significant role in determining the reasonable number of deputy commissioners and assistant commissioners that will be required.

This must not go beyond an unfortunate choice of words.

Given the history of the Baillieu-Ryan regime and the political interference in the office of the Chief Commissioner of Police, such as the campaign to undermine Simon Overland that was run out of the minister's private office, the appointment of deputy and assistant commissioners must be beyond the influence of government.

The resignation of former Chief Commissioner of Police Simon Overland remains controversial and clouded. It was a deeply disturbing time for force command because of the political interference being run out of the police minister's office, which he claims he knew nothing about. As the now Chief Commissioner of Police, Ken Lay, is reported to have said of the time:

... it was almost impossible to be concentrating fully on what was important, and that was keeping the community safe.

This is the critical issue. You cannot have the force command of Victoria Police destabilised in this sort of way. He is also reported to have said:

If I go back to that time ... I know Simon said publicly on a number of occasions that we ... were staying focused, but my recollection was that it was an enormously difficult time.

He is further reported as having said:

As a member of police command I felt under siege. I thought Simon was under siege.

He is also reported as having said:

It was as hard a time as I can ever remember for a chief commissioner.

This was a very big part of Simon's decision (to resign), I believe.

That is as forthright as you can get to the proposition of retaining a balance between the influence of politics into force command and to keep them separate.

The Rush report made no findings against the former Chief Commissioner of Police, Simon Overland, but the Baillieu-Ryan government got the result it wanted in the end — his resignation. After a campaign that even former Liberal Premier Jeff Kennett said was unprecedented, one of Victoria's most highly decorated corruption-busters was forced to resign. The damning Office of Police Integrity report entitled *Crossing the Line* specifically stated that the OPI had no jurisdiction to investigate the Minister for Police, but the government waved this report around as if it were

vindication. The opposition awaits the Ombudsman's report.

The Rush report also highlights the fact that sworn officers were having to occupy too many administrative and non-operational roles, diverting important resources from the critical task of keeping Victorians safe. This finding was pre-empted in Labor's 2010–11 budget, with the provision of \$74 million over four years to recruit an additional 200 unsworn Victoria Police service staff, allowing Victoria Police to use up to 200 sworn police officers in front-line roles. This was an important initiative. However, the government is axing 4200 people from the public sector, and it was revealed at the Public Accounts and Estimates Committee hearings that Victoria Police has been forced to find \$68 million in savings by 30 June 2013. We will scrutinise what impact this has on policing and the safety of Victorians.

An article in the *Age* of 8 January this year referred to an email from the chief commissioner about the necessary cuts to the 2740 unsworn police workers and the creation of two senior executive positions to enforce the "challenging" targets set by the government'. The opposition understands that about 350 unsworn roles will be axed from Victoria Police. Given the cuts to jobs and the reduced police budget, it is inconceivable that police officers will not be taken off the streets to fill the void left by sacked unsworn Victoria Police staff. For a government that was elected on a platform of law and order, this will again force sworn police officers behind desks and deplete front-line operational units, which will mean fewer Victoria Police officers available to keep Victorians safe.

I turn my attention to the emergency management of bushfires. Twelve months ago the Premier and Deputy Premier had a lot to say about fulfilling their commitment to implementing all the recommendations of the 2009 Victorian Bushfires Royal Commission. Mr Baillieu and Mr Ryan said they would implement the recommendations of the royal commission in full. They said they would act urgently to give bushfire communities clear direction and that they would keep Victorians safe. These are admirable words, but we need the actions and deeds to follow them. The member for Benalla described the Deputy Premier as a man of action and a man to get things done. That is what we need; we actually need these promises to be acknowledged and implemented as the government said it would do.

There are 67 recommendations. In August 2010 the Premier said:

... we accept them and we'll implement them.

He could not have made it any clearer. He also said that he would accept them 'lock, stock and barrel'.

That was 2 August 2010. It cannot be clearer than that. That is what the government has promised; that is what the opposition will hold it to account on.

There are other issues of deep concern about what has happened to some of these communities. Within days of the bushfires in Kinglake, Colin French rang me out of the blue — I had never met him — and asked to come and see me about what they could do to help rebuild the community. He came along with Daryl Taylor to the Hume Global Learning Centre in Broadmeadows. I remember Daryl was there in bare feet with his daughter, who was also in bare feet. They basically had just the clothes they were wearing. They wanted to look at how they could rebuild their community and build a model for lifelong learning. I say this beyond partisanship and politics because this issue is too important.

I remember running into the Deputy Premier when he was out there at the time — this was way before my being in here was even a glint in anybody's eye, if I can put it that way — and we talked about what was needed for communities. The issue was: how do you actually help people who are isolated, marginalised and who have gone through trauma? I have spoken previously to United Nations disaster experts, and they say it is the second and third year after major disasters that are of the greatest concern. Basically the issue is that agendas move on, the media moves on and people feel left behind, because they are still in their grief and are still dealing with it.

Last night I met Colin French. I ran into Colin and Daryl Taylor in the vestibule here. They were meeting with the Deputy Premier to talk about what could be done. I again put forward for the agenda a scaled-down version of something like the Global Learning Village, which provides lifelong learning connections to the community, which fits their wants and needs and which can be done according to scale. I put it forward as a model that could be examined in the public interest to try to coordinate these things so that we do not have further reports such as those we have had recently in the *Age* about suicides and people feeling desperate and left behind. These are issues that are beyond partisanship and beyond politics; they are about the best interests of Victorians.

Mr NEWTON-BROWN (Pahran) — The Police and Emergency Management Legislation Amendment Bill 2012 amends a number of acts. It amends the Bushfires Royal Commission Implementation Monitor Act 2011 to extend the operation of that act and reporting requirements under it for a further two years. It also amends the Country Fire Authority Act 1958 by expanding the category of persons who are able to exercise the powers of the chief officer of the Country Fire Authority in circumstances where the Country Fire Authority is not present. It amends the Police Regulation Act 1958 to remove the limitations on the number of deputy and assistant commissioners that may be appointed under the act and enable the chief commissioner to determine standards of grooming and dress. Finally, it amends the Sale of Land Act 1962 to require a vendor's statement to contain disclosure of whether land is in a bushfire-prone area.

I am going to focus my contribution today on the improvements this bill will provide to police command, particularly in relation to managing large-scale natural disasters such as bushfires. This house needs no reminding of the horrors of 7 February 2009. It was a perfect storm of conditions. It was the end of a long, hot summer towards the end of an almost decade-long drought. The temperatures were in the mid-40s and there was a strong wind blowing. I was in Pahran on that day, but I clearly remember that the intensity of the heat on that day was like no other. Victoria was hopelessly unprepared to battle the inferno that was to engulf parts of the state.

The losses are almost beyond comprehension. There were 173 people burnt alive on that day, either fleeing or defending their homes. Of those 173 people, 23 were children. What a horrible way to die — engulfed by flames as the fire front passed through town after town. Three-hundred thousand hectares of land was burnt, and 200 homes were destroyed. In the aftermath the community came together as one to assist those who had been so impacted upon by this disaster. Victoria certainly has a proud history of doing that, as it did subsequently following the floods that we have recently experienced in this state. The then opposition leader, Ted Baillieu, did not use this disaster to his political advantage. He worked with Premier Brumby to help restore the shattered lives across the state and rebuild the shattered communities.

It was important in the longer term that the community came to have an objective look at what happened to see how we coped with that disaster. Could we have done anything better? What could we have done differently? Could we have saved more lives? I was privileged to be a small part of that process. I appeared as a barrister in

the royal commission which followed. The testimony and evidence presented to the 2009 Victorian Bushfires Royal Commission really helped in the investigation of every circumstance around that day to come up with some answers to perhaps make any future catastrophic natural disaster like that not as serious as that one turned out to be.

The evidence presented to the royal commission was wide ranging, but the evidence relevant to the bill before the house today is the evidence that relates to police command on the day. The testimony and evidence to the royal commission established that there was an effective breakdown in Victoria's senior emergency management leadership on the day of the fires. The state's most senior police officers and the Minister for Police and Emergency Services were absent from the integrated emergency coordination centre (IECC). The minister spent the day at his own property and arrived at the IECC at around 9.00 p.m. on the day of the fires, after many people had lost their lives.

The chaotic and uncoordinated approach to dealing with who had what responsibility on the day pointed to a lack of leadership and perhaps negligence on the part of the then Premier, Mr Brumby. No serious attempt was made to establish clear lines of command and communication inside the IECC on that day. As a result, many of those who perished received no warnings whatsoever about the fire that was looming. The 000 services were hopelessly understaffed. Some 10 000 people called 000 on that day as the fire bore down on them; 10 000 people had their calls ring out — no-one answered them. Eighty per cent of the calls to the state's bushfire information line similarly went unanswered. It was a disgrace.

While this was going on, the Chief Commissioner of Police, Christine Nixon, left the IECC at 6.00 p.m. to have dinner with friends, and this was despite the death toll already mounting. Chief Commissioner Nixon also kept a string of personal appointments on that day, which as I have already detailed was clearly a day like no other. There was no contact between Nixon and the IECC between 6.00 p.m. and 9.00 p.m. The emergency services commissioner, Bruce Esplin, said that he thought Nixon was in charge but did not know why she was absent. The deputy police commissioner, Kieran Walshe, said he only spoke to Nixon after 9.45 p.m. that night, and as I have already detailed, Minister Cameron arrived at the IECC at around 9.00 p.m.

During the royal commission, when Jack Rush, QC, asked the minister to explain who was in charge of the

state's emergency response, incredibly the minister did not know the answer to that question. He was unaware that under Victorian law the minister is coordinator in chief of emergency management and that the Chief Commissioner of Police is his deputy. Both the minister and the Chief Commissioner of Police were absent for critical parts of that day. Jack Rush asked Minister Cameron:

So was there any structure that you understood to be in place where Ms Nixon, Mr Walshe or Mr Fontana would be on duty in an active position to make active decisions ...

The minister's answer was no. This shambolic state of leadership and confusion within police command did not reflect just on individual negligence, it reflected on a systemic failure of leadership from Spring Street and a failure to facilitate adequate police leadership structures and appropriate methods of dealing with messaging to the community.

Some time after the royal commission, Jack Rush was engaged by this government to do an inquiry into police command, and the report of the inquiry was released on 1 March this year. Mr Rush made 25 recommendations. The government has committed to implementing all but one of those recommendations. This bill seeks to implement recommendation 16 of the Rush inquiry report, which was to remove the limit on the maximum number of deputy commissioners and assistant commissioners that can be appointed. These caps will be removed ahead of other legislative amendments that will be required to provide the chief commissioner with the flexibility he needs to employ staff and set up the leadership structures that are so important to have in place well before any other disaster of a comparable scale hits Victoria.

This bill is yet another example of the Baillieu government providing the structures and tools for our police and public service to effectively do their job and ensure that the leadership and the command structures are there to make certain that this state is far better prepared for the next natural disaster that hits Victoria.

Mr FOLEY (Albert Park) — I rise to make a few brief comments in regard to the Police and Emergency Management Legislation Amendment Bill 2012. I do so following the distasteful contribution of the member for Prahran. I would invite him to make his brave comments on the other side of that door — to take the same steps towards his heroic denunciation of various people's reputations. Then we would see how brave he is. But we will let those pathetic comments lie for what they are — the ramblings of a sadly demented one-timer in this place.

I will perhaps focus my comments and contribution on the fact that, as the shadow spokesperson, the Deputy Leader of the Opposition, has indicated, the opposition will not be opposing this bill but has some concerns in regard to some changes to how the bushfires royal commission recommendations will be dealt with and will perhaps float them in the other place.

As we have learnt, the bill amends the Bushfires Royal Commission Implementation Monitor Act 2011, and as the minister said in his second-reading speech:

The bushfires ... monitor plays a crucial role in this process and holds the state accountable by assessing its progress in implementing the government's response to the royal commission's final report and reporting directly to Parliament ...

This is a worthy goal. It is sad that despite its commitments to this goal, the government continues to drag the chain and, in many cases, avoid its commitments as promised. We need to focus this not just at a general level because, as we have heard honourable members on both sides indicate, this is a real issue for real people. The minister who has brought this bill before this place is well aware of many of those real-life circumstances. They have been raised in correspondence with him and with me, and the minister has replied to such correspondence.

I could perhaps draw on one particular example in regard to the issues related to the planned road closure of Scott Road, Yarra Glen, which I understand is in the district of Seymour. This road is used by Christine and Robert Dove, who are farmers in this community. Christine and Robert Dove escaped with their lives on that terrible day but not with their property. They escaped down Scott Road, which has in recent times been discontinued by the Shire of Yarra Ranges at the behest of the Minister for Environment and Climate Change and the Department of Sustainability and Environment (DSE). It is these very issues — the road closures, the matters of life and death, access and how you conduct an operating farm — that are dealt with in part by many of the recommendations of the royal commission and by the royal commission bushfire implementation process that is set out in this bill.

In the case of the Doves, whilst the road closure appears to be a matter for the minister for the environment, as it is his department which seems to be at the root of the issue, it is in fact a matter for the emergency services minister in regard to how the wildfire management overlay and its successors relate to planning decisions and fall within the bushfire monitor response issues. I know the Doves have raised these issues with the minister, that he is aware of them

and has referred to them in his correspondence back to the Doves and their representatives, so the minister is aware of the real-life issues around how proposed road closures, or proposed road discontinuances — as this is technically referred to — recommended in this case by the DSE and the Minister for Environment and Climate Change, actually could and will place lives at risk should there be a terrible repeat of Black Saturday.

It was no surprise to me to learn that in this particular case the proposed road discontinuance was opposed by the Country Fire Authority, no doubt knowing firsthand the consequences of the Dove's escape on that terrible day and perhaps having been informed by the majority of the 100-plus submissions received by the Shire of Yarra Ranges. It was sad to learn that the DSE, acting in concert with the shire, seems to have been sadly misadvised as to what the consequences of this road discontinuance might be — however well intentioned it may have been. Ensuring that the wildfire management overlay has mandatory applications to such road closures and discontinuances, including those made under legislation that hitherto required no planning permit, is one of the issues dealt with by the royal commission in the implementation and is directly relevant to the management of the bushfire responses that are contained within this bill.

Whilst the minister might have to be called in to clean up the mess made for him by the minister for the environment in this area, that is of little comfort to the Doves and those in similar circumstances. It is perhaps not directly transferable, but certainly in terms of the general principle this is about how families, rural properties and productive farms cope in circumstances such as those of the Doves, who live in bushfire-prone areas.

In terms of recommendation 40 of the bushfires royal commission regarding permit applications, this is directly relevant to how the royal commission and the bushfire implementation process need to take account of real-life circumstances. So it was very disappointing for me to learn that families such as the Doves, who have sought to play this completely straight and deal with the processes, have been opposed by DSE, the minister for the environment and the Shire of Yarra Ranges time after time to the point where it has caused considerable expense and discomfort for them.

Whilst it has been disappointing in terms of how the government has generally responded to the bushfires royal commission, the fact that we have this contribution from this bill to continue the bushfires monitor process at least offers some hope to the Doves that their particular circumstances will be dealt with on

merit and that they will not be left in the position that the Department of Sustainability and Environment and the minister for the environment seem to have placed them in. Sadly, they have been cajoled by the Shire of Yarra Ranges to the point where they have to take their position to the court to seek injunctive relief so that they can continue to use what is at the moment a discontinued road.

Perhaps the friends of the farmers on the coalition benches, The Nationals, might need to step in to help the Liberal Minister for Environment and Climate Change to extract these genuine farmers who live in this area from the difficulties they now find themselves in. The material provided to me indicates the issue might well have bordered on a conspiracy between the Department of Sustainability and Environment and the Shire of Yarra Ranges to make it incredibly difficult for this real-life family living in a bushfire-prone area to make their farm both productive and safe. These are the kinds of real-life circumstances that are prone to occur in such areas as the shire of Yarra Ranges, and the threats of living in bushfire-prone areas are the bread-and-butter issues that the bushfire implementation process and the monitor need to deal with.

In a very real sense this bill is important, and it is important that it be got right. So far at least we have seen circumstances such as those that the Doves were in, and their matter has been brought to the attention of numerous ministers and numerous representatives of the government. Not only do the Doves still not have access to safe entry to and exit from their property but they have incurred enormous expense and faced enormous difficulties as they have sought to implement the general tenor of the report of the royal commission into bushfires as it applies to their particular property.

I know that your own community, Deputy Speaker, takes these issues incredibly seriously because they are incredibly serious issues. They are issues that should be above the normal hurly-burly of party politics in this place because they are issues literally of life and death. The Doves' property was destroyed but they escaped down that discontinued road with whatever was on their backs. If the Department of Sustainability and Environment and the Minister for Environment and Climate Change have their way, that will no longer be an option open to them.

The Minister for Police and Emergency Services and others in the government need to take the Minister for Environment and Climate Change aside and fix this particular problem and the endemic problems that this reflects — that is, how elements of the government

have gone about mismanaging dealing with the real-life issues that place families like the Doves and communities such as those in the shire of Yarra Ranges at real risk. I will leave my comments there.

Debate adjourned on motion of Mr KATOS (South Barwon).

Debate adjourned until later this day.

GAMBLING LEGISLATION AMENDMENT (TRANSITION) BILL 2012

Second reading

Debate resumed from 18 April; motion of Mr O'BRIEN (Minister for Gaming).

Ms D'AMBROSIO (Mill Park) — I rise to contribute to the debate on the Gambling Legislation Amendment (Transition) Bill 2012. I wish to indicate at the outset that the opposition will not be opposing the bill. The bill provides arrangements to complete the new gaming industry structure which will come into force on 16 August. It does that by amending a number of acts. They are the Casino Control Act 1991, the Gambling Regulation Further Amendment Act 2009, the Gambling Regulation Act 2003 and the Gambling Regulation Amendment (Licensing) Act 2009.

The changes made by the bill essentially do three things. The bill broadens the kinds of cash facilities that will fall within the prohibition on automatic teller machines in the casino and approved gaming venues. The bill also introduces a licensing regime for those who provide services to a venue operator or the monitoring licensee for the installation, servicing, repairing or maintenance of gaming machines. The bill also provides transitional arrangements and some consequential arrangements for the new industry structure once the existing gaming and wagering licences expire on 15 August.

For members to better understand the reforms before us in the bill, it is in order to provide some historical context. When we look at bans on the availability of automatic teller machines, in 2009 the Labor government legislated to ban ATMs at gaming venues. That ban will commence on 1 July. The reason for the delay between the legislation having been passed and its being activated was of course to allow venue operators to adjust to the new arrangements. The ban allows ATMs to be available only in special circumstances. Those two particular circumstances are the actual location or remoteness of the approved venue or where, through some palpable mechanisms, there is

clearly a community interest or the community would suffer some type of hardship without an ATM.

The bill broadens further the ban on ATMs so that new kinds of cash-dispensing machines that do not require interaction with a member of the venue's staff are captured under the ban. In his second-reading speech the Minister for Gaming made comments on this matter. Some of those comments led members of the opposition to have some concerns, specifically that a cash-access device that requires staff involvement will not be prohibited. That seems to be the exception to the prohibition on cash withdrawal devices. If a member of the staff of an approved venue is involved or is required for the transaction to take effect, then for some reason that device is excluded from the prohibition or ban. Instead access to cash will be subject to only the existing EFTPOS rules. I remind the house, because it is important for members to know, that those rules allow for a \$200 withdrawal limit. It is important also to state that EFTPOS machines cannot be located on the gaming floor.

The opposition is concerned that the bill will do very little or perhaps nothing to halt the very rapid move towards the use in approved venues of EFTPOS devices which require staff interaction. The concern there of course is that gamblers can access those devices as easily as they would an ATM but for the fact that ATMs will be prohibited. Members should ponder that important point, which is that the policy objective is to make it less easy for gamblers to access cash in a way that could be harmful to them.

The increased use of that technology acts to avoid the ATM prohibition and undermines the policy objective. That really goes to the heart of the concerns of opposition members. As I said, the policy objective is to make it harder to access cash withdrawals. The proposed ban on ATMs will take effect. However, other electronic cash withdrawal devices, provided they are staffed by a venue staff member, are totally exempt from the ban. Opposition members believe that that could undermine the policy objective. We understand also that the Victorian Commission for Gambling and Liquor Regulation (VCGLR) has before it a couple of applications from gaming venues to operate ATMs from 1 July. As I said, there are two criteria by which venues can be exempted from the ATM prohibition.

Labor's changes in 2009 regarding the Treasurer's ability to give an exemption for tax payable — this is to do with the early on-sale of gaming machine entitlements — were an important check on speculative bidding in the auction of the gaming machine

entitlements at the time. It is important to reflect on that bill and how it dealt with this type of matter. The legislation was essentially to provide that a 75 per cent tax could be imposed on the early on-sale of a gaming machine entitlement within six months of the start of the new industry structure. The Treasurer could exempt the venue from the tax if satisfied that the on-sale or transfer of the gaming machine entitlement was caused by, say, a refusal of a planning permit for the situation of the machines.

I think it was an important, healthy and responsible authority for the Treasurer to have — the ability to exempt a venue operator from having to pay what is essentially a 75 per cent tax on the transfer or on-sale of a gaming machine entitlement. That tax was really designed to reduce speculative behaviour. It is clear that where a government authority or agency refuses a particular application which has a bearing on the number of gaming machines in the venue, that is not a question of speculative behaviour, so the tax exemption was certainly important and very much welcomed.

The bill adds another criterion for the exemption to be granted by the Treasurer — that is, if the VCGLR rejects an application to amend a condition or conditions of a venue operator's licence in respect of the number of gaming machines permitted in the venue. What I say on behalf of the opposition is that it is concerned that any future decision by the Treasurer to grant a tax exemption will not be required to be reported. This is important, because it goes to the heart of transparency and integrity regarding the exemptions that may be made. I clearly state that I am not suggesting for a minute that the Treasurer would make decisions that were not laden with integrity — certainly not — but I suggest that integrity could be lacking in any decision regarding exemptions. It is really a matter of transparency and of the process being seen to be above board and full of integrity. That is very important, because decisions need to be transparent. Governments are empowered to make decisions of great consequence, either financially or otherwise, and decisions such as the granting of tax exemptions need to be transparent in order for the public's trust in government to be upheld. That is an important broad principle that should have been reflected in the bill.

I ask that the minister put on the record in this chamber that any future tax exemptions will be fully reported. He certainly has the ability to provide that assurance in his summing up of the debate on the bill, if he opts to do that. I imagine that the minister may not do that, given that I do not think he has summed up the debate on any bill he has presented to the Parliament in the 18 months that he has been a minister. But we live in

hope, and I again extend my request to the minister to do just that.

I turn to the transitional arrangements for payment of the health benefit levy. This levy on gaming venue operators was introduced by the Labor government, and the transitional provisions in the bill allow for its payment in the financial year 2012–13. I will touch on why the health benefit levy is there. Currently a gaming operator — either Tattersall's or Tabcorp — must pay a health benefit levy each year based on a particular formula. The money that is raised by this is hypothecated into the Hospitals and Charities Fund. The gaming operators' licences expire on 15 August, so they will no longer be paying the levy. The transitional arrangements here are important so that we can ensure the payment of the levy by gaming operators for the next financial year.

I also wish to go to the matter of the new licensing regime for gaming machine service providers. Another broad purpose of the bill is to license certain providers regarding the amenity and treatment of gaming machines at a venue. Under new industry arrangements the venue operators and the monitoring licensee will undertake an array of technical functions that were previously the responsibility of the gaming operators. Third-party gaming machine service providers will no doubt flourish in this situation, and it is important that we have a licensing regime that clearly ensures that gaming machines are treated in a way that maintains their integrity.

Third-party gaming machine service providers may enter into arrangements with venue operators to service, repair or maintain gaming equipment or monitoring equipment. The bill requires that these gaming machine service providers hold gaming industry employee licences, and penalties will apply where unlicensed personnel are used. This is fundamentally important in upholding the public's confidence in the integrity of gaming machines and how they are maintained and repaired. They need to comply fully with the public's expectations so that if people choose to use gaming machines for entertainment purposes, they can be fully assured that there is a very strong regulatory environment and a set of mechanisms which allows them to utilise those gaming machines in the full confidence that there is fairness in the operation of those machines and any returns. The bill will provide for these licences and penalties.

However, the amendment in the bill fails to address a concern that has been raised by venue operators who have been prevented from engaging installers of their choice. The reason is that there has been no

confirmation that a machine installed by an installer other than Tabcorp would be certain to be connected to the monitoring system from day one. This assurance is very important, and the lack of it to date has effectively handed Tabcorp a monopoly over installations and therefore the capacity to inflate the price of installations. Again we are not suggesting that that is what has occurred, but the bill does not provide for the necessary competitive environment that really should have come about. That is a concern we wish to put on the record, and it is certainly a concern that has been raised by venue operators who have been prevented from engaging the installer of their choice.

I turn now to the matter of jackpots. The bill provides for the payment of any money remaining in jackpot special prize pools operated by gaming operators at the expiry of their licences on 15 August 2012 to the Treasurer for payment to the Victorian Responsible Gambling Foundation. Jackpots are random — that is their nature. There is no way though of ensuring that moneys will be paid out to players prior to this date so we believe this proposed change is a sensible one.

In terms of transitional arrangements with respect to the supply of machines, the bill includes a provision allowing a venue operator who holds entitlements to install a machine not owned by an existing gaming operator before the transition date of 16 August 2012. We understand that venues want their own machines installed and ready to go. This provision in the bill will enable that to occur and ensure those machines are linked to the new monitoring system in time for the trigger date, if you like, of 16 August. We have had some concerns expressed to us by venue operators who are not convinced that these transitional arrangements will mean they will be able to operate under the new structure from day one.

A particular concern they have expressed relates to the installation of new machines. This government has known of the looming deadline since the industry restructure was announced in 2008, some four years ago. It is our understanding that venue operators, gaming industry service providers and peak bodies have been making representations to the Minister for Gaming for quite some months asking him to intervene and ensure that all venues, including those whose operators choose their own machine suppliers and installers, have an equal opportunity to be connected to the monitoring system in advance of 16 August. The industry has been seeking that certainty for some months, but it appears that the minister, instead of providing that certainty, has chosen to sit on his hands.

This means that dozens of venues may simply have to take the deal being offered by Tabcorp. Many venues have now been put in that position, resulting in them incurring additional costs of some \$1000 per machine. That is not really good enough. The transformation of the industry over recent years has been quite significant. It has been carefully planned for, and many amendments have been made to various acts of Parliament, all with a view to, if you like, lining up all of the ducks so that come 16 August things will fall into place with the certainty the industry needs for fair and equal advantage to be provided to all operators. These are important points that the opposition is very keen to put on the record.

I want to spend a short time talking about some very positive highlights of the new structure that will come into place later this year. Gaming venues will have a 10-year gaming machine entitlement period rather than Tattersall's and Tabcorp having those entitlements. This means that venues with gaming machine entitlements will own, operate and maintain their own electronic gaming machines. This is a very radical change from the duopoly that existed. Keno will also be operated by a single licensee, and that will be Tabcorp. That licence will be held for a period of 10 years. Wagering and betting will also be operated by a single licensee — that is, Tabcorp — and that licence will continue for a period of 12 years. The monitoring of gaming machines operating out of approved gaming venues will be undertaken by a single, independent licensee; in this case, Intralot. That arrangement will remain in place for a period of 15 years. These are very important changes to the industry.

I hope the minister affords respect to the Parliament, including this chamber, by providing a summing up of the bill at the end of the debate and answering some questions about some of these issues so as to eradicate doubt and causes for concern. That would inject certainty in relation to the transition point to the new structure so that the various stakeholders and industry could be fully prepared and have a full and fair advantage afforded to them. This would give them the ability to manage their gaming machines in accordance with legislative requirements and other regulatory requirements and to readily comply with these requirements so that the various stakeholders, including those from the industry, are not financially disadvantaged in a competitive sense in relation to the way they manage their gaming machines.

Without adding to my contribution and without delay, I indicate again that the opposition will not be opposing the bill, but we look forward to the Minister for Gaming

clarifying issues and providing certainty in relation to what I have talked about in my contribution today.

Ms RYALL (Mitcham) — It is with pleasure that I rise to speak on the Gambling Legislation Amendment (Transition) Bill 2012. It was pleasing to hear from the member for Mill Park that the opposition is supporting the bill. This bill delivers on the coalition government's commitment of December 2011 to extend the ban on automatic teller machines in gaming venues. In addition, it further strengthens the legislative framework to ensure a smooth transition to the new industry structure.

The bill enhances the government's strong position on problem gambling and action to be taken in response to reports that new cash dispensing machines are being marketed to gaming venues to circumvent the introduction of the prohibition on having ATMs in gaming venues from 1 July 2012. The passing of this bill will mean that Victoria will have the toughest bans on ATM access in gaming venues in Australia. This ban covers all forms of cash access inside these venues.

The government understands the social problem created by problem gambling in Victoria. The ban will cover cash access devices that do not require customers who are using gaming facilities to interact with venue staff before they make any decision to withdraw cash. Essentially the ban will allow cash withdrawal transactions to be made at gaming venues where there is face-to-face interaction with staff as occurs with the use of traditional EFTPOS facilities.

Research included in the Productivity Commission's 2012 report about gambling showed that face-to-face interaction when making a withdrawal is less risky as it can deter problem gamblers from withdrawing large sums of money. Making cash less accessible to gamblers when gambling will help deter problem gamblers from withdrawing large sums and perpetuating the cycle that surrounds the problem gambling issue. Everyone is aware of the temptation of readily being able to withdraw cash and the problems that that creates. It creates a supply that would not normally be available to a person should that access not be there. This is being dealt with by removing ATMs from gaming venues from July 2012.

It has been found, and we now know, that the marketing of non-personal contact devices to circumvent, get around or undermine the value of the absence of ATMs at gaming venues is happening. This undermines, in the very sense of the word, what the government is trying to achieve. It defeats the purpose

of removing ATMs in the first place. To allow this to continue would be irresponsible.

I note the member for Mill Park talked of her concern about EFTPOS facilities remaining at venues. But the key to this issue is the human, face-to-face interaction that will continue through this process. The former Labor government did not have a desire to remove EFTPOS facilities from gaming venues in the first place. They are there, but human interaction is part of a process that will enable a person to think during the interaction about the sum they might be withdrawing or about whether they need to withdraw money in the first place.

As the Minister for Gaming said in the second-reading speech for this bill:

The government has consistently said that it would not allow the policy intent of the ATM ban to be undermined by devices clearly designed to circumvent the ban on ATMs.

Ultimately that is the importance of this issue — that is, making sure the policy is not undermined and that the actual intent of the removal of ATMs is fulfilled. That gives people who leave a premises to go to an ATM a chance to think about whether they need to return to continue gambling. If they have to interact with a person, that may give them an opportunity to give due consideration to whether they should withdraw further funds.

I turn to the transition to the new law. Under the current legislative structure the two gaming operators have responsibility for the installation, maintenance and repair of gaming machines, and they employ technically qualified people as licensed gaming industry employees to take on those functions. Under the new industry structure the work currently undertaken by the gaming operators' licensed gaming industry employees will become the responsibility of venue operators and of the monitoring licensee. This will assist in maintaining the integrity of gaming venues and machines and in maintaining venues free from any potential criminal activity.

The member for Mill Park talked about great changes under the former government, and I think the removal of ATMs from gaming venues is a very positive change. One thing the member for Mill Park failed to discuss, however, was the absolute inability to manage a program of sale of gaming machine licences and the fact that this state lost \$3 billion — \$3000 million — as a result —

Ms D'Ambrosio — On a point of order, Deputy Speaker, the member is straying well and truly from the

contents of the bill. I remind the member that greater discretion is afforded the lead speakers on bills. I request that the member be returned to the contents of the bill.

The DEPUTY SPEAKER — Order! I uphold the point of order and ask the member to come back to the bill.

Mr Walsh interjected.

Ms RYALL — Yes, it was an important point — absolutely.

From a problem gambling perspective, I wonder how much of that \$3 billion could have been invested in problem gambling and could have helped deal with the problem gambling issue on top of the initiatives we are instituting with this bill. To tackle problem gambling requires responsible government, and the loss of that \$3000 million on the watch of the former member for Mitcham and the former government has taken away the ability to put those funds into dealing with problem gambling, which is very much what this bill is about. As I said, it requires responsible government to manage such a thing, and a responsible government is exactly what the Baillieu government is.

I respect choice, and I have no problem with somebody making a choice to use a gaming machine. Where I have a problem is where it is no longer a controllable choice, when it tips over into a problem that a person is unable to consciously control. That problem becomes society's problem. It can impact on the family unit, on social networks, on law and order, on the person's ability to remain in employment and on mental health. In addition it can result in the loss of homes and savings and can have an impact from a family breakdown perspective. It can also be an issue in domestic violence. The cost can be very substantial, and not just to the person or their family: the economic cost can be substantial, because the problem turns from an individual one into a societal one.

The government is acting to take away the ease with which funds can be withdrawn from ATMs and from alternative cash-dispensing machines and thereby requiring face-to-face contact. We have 227 machines in the Mitcham electorate, and in the first half of this financial year just short of \$10 million was lost by players, so I stress the importance of making sure we have responsible government and responsible gambling legislation. I commend the minister on taking this opportunity, one that was lost by Labor when the former minister was alerted to this issue back in June 2010 and refused to act. There was no action. I

commend the minister on taking action, and I commend the bill to the house.

Mr TREZISE (Geelong) — I am pleased to be speaking on the bill before the house this afternoon, the Gambling Legislation Amendment (Transition) Bill 2012. As other speakers have mentioned, in essence this bill puts in place what are hopefully the final arrangements required prior to the new gaming industry structures commence on 16 August. Of course, as we have heard, the new structures were initiated by the former Brumby government back in around 2007–08. Through that time there was much consultation and discussion with the industry. In Geelong I had a lot to do with my clubs, as you, Acting Speaker, would have had in the Bendigo and Echuca areas. The Geelong clubs are well-managed clubs, I can assure you, that provide not only a terrific social outlet for local people and visitors alike but also what are probably thousands of jobs across the Geelong region, especially for young people, for example, coming into and being introduced to the hospitality sector.

In my electorate the Buckleys Gaming Centre in the eastern suburbs of Geelong is very much a community club and one that is professionally managed and well run. I get out to Buckleys a couple of times a year, and I know it is a great social venue for many locals. For the information of the house, Buckleys is operated by the Geelong and District Football and Netball League, and many of the profits go directly back into the football and netball clubs. Buckleys is of course just one example.

In speaking on this bill I appreciate that pubs and especially clubs run legitimate businesses and are important to local areas in that they create jobs and are a great social outlet for many people, especially elderly people. In saying that, however, I add that it is also well and truly known that gaming machines — that is, poker machines — create terrible problems for those people who become addicted to gambling on them. It is this type of legislation we need to be addressing, as we are today, to ensure we address that concern. You would be well aware, Acting Speaker, as would most members of this house, of the problems particular people have with gambling addictions. I am well aware of individuals who have had their lives absolutely destroyed by a gambling addiction and the devastating effect this has on not only themselves but also their families.

With that in mind, it is vital that governments at all levels — local, state and federal — and of all colours ensure that initiatives continue to be rolled out to minimise the harms of problem gambling. Given that, I am pleased to be a board member of the new Victorian

Responsible Gambling Foundation. I am looking forward to working in a bipartisan manner with other members of this house, including the member for Caulfield and the member for Murray Valley, in that new foundation.

In relation to the specifics of the bill before us today, I note that the opposition is not opposing the bill. As I said, it implements the final pieces of the new gaming industry structure that is being introduced as of 16 August this year. The new structure will bring some substantial changes to how the industry has operated, probably since the early 1980s. For example, gaming venues will now have 10-year gaming machine entitlements, which means they will own, operate and maintain their own poker machines. Keno will be operated by Tabcorp for a period of 10 years. Wagering and betting will be operated by a single licensee, that of course being Tabcorp, for a period of 12 years. The monitoring of gaming machines operating at approved venues will be undertaken by Intralot for 15 years. As I said, the industry will see significant restructuring after 16 August 2012.

Other speakers, including the lead speaker on this side of the house, have raised our concerns with some of the points in the legislation, so I will not go over those except to say that there are issues that are still to be addressed by the minister. I know they are of concern to clubs in my electorate in the Geelong region. I urge the minister to get off his hands and ensure that these issues are effectively addressed prior to 16 August. In saying that, as I said before, we are not opposing the legislation.

Ms WREFORD (Mordialloc) — I rise in support of the Gaming Legislation Amendment (Transition) Bill 2012, and I note that the opposition is supporting this bill. The bill has two major purposes. The first purpose is to extend the ban on ATMs in gaming venues and the second is to further enhance and strengthen the legislative framework to facilitate a smooth transition to the new industry structure. This government has led and overseen a smooth transition in gaming since that important day in November 2010. We are moving from existing gaming licences to new industry arrangements. We have issued new licences for Keno monitoring, wagering and betting. We are moving from the Tattersall's and Tabcorp duopoly of gaming in a venue to a venue-operated system. We will not gamble \$3 billion on pokie auctions.

Many of these changes were enacted through the Gambling Regulation Amendment (Licensing) Act 2011, and this bill builds on what we have previously done in the Victorian Commission for Gambling and

Liquor Regulation Act 2011 and the Liquor Control Reform Further Amendment Act 2011. Those acts helped to untangle Labor's great big knot of red tape in the gaming and entertainment industries, they are helping to make the streets safe again after the bloodbath created by the Labor Party and they put liquor and gaming under one authority to end Labor's wasteful double-up. This bill keeps the transition rolling by delivering on our commitment to ban ATMs in gaming venues and by strengthening the legislative framework.

Last December the minister announced our commitment to extend the ban on ATMs in gaming venues. This was done for a very good reason. We all know the harms that problem gambling can do to people in our society. This government recognises those harms, and this bill will go towards harm minimisation. New prohibitions on ATMs in casinos and gaming venues will begin on 1 July, meaning that Victoria will have the toughest rules on gaming venue ATMs anywhere in Australia. There will be no ATMs in venues except where the Victorian Commission for Gambling and Liquor Regulation (VCGLR) authorises them, and this can only be done in very limited circumstances. The bill also goes a step further by banning other cash-access devices from both gaming venues and casinos. These new devices have started to appear, basically to circumvent this legislation.

This bill ensures that gamblers can only access money through interaction with qualified staff, as the rules currently apply to EFTPOS. Gamblers tend to shy away from risky, large withdrawals when they have to disclose the idea to a staff member. Generally they will have to leave the gaming venue to access money, which provides them with some thinking time, and they may reconsider what they are going to do. This is consistent with the Productivity Commission's report of 2010. In fact this bill goes even further than that report. Sums of up to \$200 will be accessible through an EFTPOS transaction with a staff member. We are committed to the fight against problem gambling, and we are demonstrating that through this legislation.

In addition to the ATM changes and legislative framework changes, from 16 August the industry structure will change as Tattersall's and Tabcorp lose their duopoly and the market changes. At the moment only Tattersall's and Tabcorp can install, maintain and repair gaming machines. Their installation and maintenance staff must undergo a series of checks by the Victorian Commission for Gambling and Liquor Regulation. From 16 August the venues can employ installation maintenance staff or contractors. A chain of

hotels can use technicians across several of their sites, but the technicians must undergo the same VCGLR test to receive a licence and go on the roll of manufacturers, suppliers and testers.

This bill also includes additional amendments to facilitate the changes in August. The previous government legislated in 2009 that a venue operator who sold their gaming machine entitlements within six months of the new industry structure would have to pay 75 per cent tax on the profit. That was designed to stop speculative investment in Labor's great pokie auction, which came up \$3 billion short. As the previous speaker said, there is a lot that could have been done with that \$3 billion, especially on harm minimisation in the gaming industry. Currently the Treasurer can grant an exemption where the actions of a government agency have made the machines unviable — for example, when a liquor licence is not granted. This bill extends those exemptions to cover situations where the VCGLR refuses machines in a venue. It is not fair to tax a venue for selling entitlements it expected to use but finds it cannot.

Under the new structure venue operators will not pay the health benefit levy; the gaming operators will, and the alignment of the dates for calculating the levy will change to allow the levy to be calculated should an operator leave the business prior to the current annual designated date. It can now be varied where the operator's status changes. The changes are not designed for the levy to increase, just for the timing of the calculation to be varied in particular circumstances.

The gaming operators are currently responsible for all aspects of the operation of jackpots. From 16 August venue operators will take over that responsibility. This includes accounting for the jackpots and payment of the winnings. Where an operator ends an operation there will be money remaining in jackpots. Whilst the preference is for the jackpotted money to be won by or shared amongst gamers, this will not always be possible. In that instance the bill directs those remaining funds to the Victorian Responsible Gambling Foundation to be spent on responsible gambling campaigns, counselling services et cetera.

The bill provides for a transitional arrangement from commencement to 15 August so that the existing restrictions on the authority conferred by the act on venue operators licences and gaming operators licences do not prohibit the supply of gaming machines by venue operators to gaming operators. This is to allow for preparations for 16 August.

This bill also ensures that outgoing gaming operators meet their obligations right up until the changeover, including the payouts of jackpots and payments to the state, foundations and the relevant authorities. Finally, the bill makes minor technical amendments to the Gambling Regulation Act 2003 to allow this transition. In summary, the bill has two major purposes: to extend the ban on ATMs in gaming venues and to further enhance and strengthen the legislative framework to facilitate a smooth transition to the new industry structure. I commend the bill to the house.

Mr PERERA (Cranbourne) — I wish to speak briefly on the Gambling Legislation Amendment (Transition) Bill 2012. This bill basically finalises arrangements to get the new structure in place by 16 August this year. The structural changes are that gaming venues will have a 10-year gaming machine entitlement to own, operate and maintain their own electronic machines in their own facility. Tabcorp will still have the licence to operate Keno for the next 10 years and will also have the licence to operate wagering and betting for the next 12 years. A single entity, the independent licensee, being Intralot, will have responsibility for the monitoring of gaming machines for a period of 15 years. That new structure will be in place by 16 August this year. These structural changes were announced in 2008 by the previous Labor government. This bill is another piece of legislation that is mandatory if those initiatives are to be delivered. Therefore the opposition will not oppose this bill.

The key proposals in the bill are to extend the types of cash facilities that are captured by the proposed prohibition on ATMs in approved venues and the casino and to license persons who provide services to a venue operator or the monitoring licensee for the installation, service, repair or maintenance of gaming machines. A change the bill provides for is that a licensed person will now be required to provide those services. The bill also makes a number of transitional and consequential amendments in relation to the expiry of the gaming and wagering licences on 15 August.

In 2009 Labor legislated for the ban of ATMs at gaming venues to commence on 1 July 2012, unless there are special circumstances, such as remoteness or the causing of hardship to a community around those venues. The bill seeks to extend the ban to apply to any cash access device that does not require the customer to interact with venue staff before any decision is made to withdraw their money from the cash dispenser. This is a good measure in the bill, which provides that the customer will have an interaction with the gaming operator so that the customer will have a moment to think twice about withdrawing their money. This

change is in response to new cash dispensing machines that are designed to get around the bans on ATM machines in venues that were introduced in 2008.

The second-reading speech specifically notes that a cash access device that requires staff interaction will not be prohibited but will be subject to existing requirements of EFTPOS, which has a \$200 withdrawal limit. Although it is a reasonable measure to have an interaction, it will not completely eliminate problem gambling or help with problem gambling issues. The bill will not do anything to halt the proliferation of EFTPOS technology because the cash dispensing machines have taken their place to a certain extent. The bill to introduce mandatory precommitment legislation in the federal Parliament is a first step in the right direction, coupled with the other measures to address problem gambling issues.

The previous government took some measures to combat problem gambling, such as introducing posters and requiring that cash entered into the machines be displayed and credits used be displayed. However, problem gambling issues still prevail in Victorian society. Under Labor's 2009 changes the Treasurer may exempt a venue operator from the requirement to pay a 75 per cent tax on the profit of the early — within six months — on-sale of a machine entitlement. This exemption will be granted to venue operators who have their entitlement but who, due to other issues such as planning matters, will not be able to prosecute that entitlement and install gaming machines. However, this was also to deter speculative bidding in the auction. The gaming venue operator could speculate and buy more entitlements than they were entitled to install so that they could get a resale value. That was the reason these measures were introduced, but exemptions may also be given because there are other issues associated with installing gaming machines.

This bill extends the exemption to issues which are associated with the Victorian Commission for Gambling and Liquor Regulation, which could also refuse to extend or vary the licence agreement. This is a worrying change to a certain extent, because a venue operator can buy more entitlements in an auction than it is entitled to. An operator can apply for a change to the Victorian Commission for Gambling and Liquor Regulation, and if it refuses to vary the licence entitlement be entitled to get a 75 per cent tax exemption. This is what is happening with the Royal Hotel in Benalla, which is permitted to operate 20 machines but has purchased 30 entitlements. It has unsuccessfully applied for a variation of the licence agreement and has challenged the decision at the Victorian Civil and Administrative Tribunal. If VCAT

upholds the original decision, then the question is whether, under the legislation once it is enacted, the hotel will be able to enjoy the 75 per cent tax exemption.

The opposition is concerned that the Treasurer will apparently be able to grant exemptions, because this bill does not provide for disclosure statements and these exemptions do not have to be publicised. The opposition has a concern that the government can grant exemptions but that they will not be publicised and so will not be on the public record. That is a concern with the bill.

Currently a gaming operator, such as Tattersall's and Tabcorp, must pay a health benefit levy each year to the Treasurer, which will be deposited into the Hospitals and Charities Fund. The gaming operators licence and the gaming licence expire on 15 August this year, so this levy will no longer be paid. That is the unfortunate outcome of this arrangement. The bill only provides transitional arrangements for the payment of the levy by gaming operators during the short period starting from 1 July and finishing on 15 August, when the new structure kicks in.

Under the new industry arrangements venue operators and the monitoring licensees will undertake a range of technical functions that were previously the responsibility of the gaming operators. Third-party gaming machine service providers may enter into arrangements with venue operators to service, repair or maintain gaming equipment or monitoring equipment. The bill requires these gaming machine service providers to hold a gaming industry employee's licence, and for penalties to apply if unlicensed people install the gaming machines. This amendment fails to address the concerns raised by venue operators who have been prevented from engaging an installer of their choice. The reason is there has been no confirmation that the machines installed by installers other than Tabcorp — —

The ACTING SPEAKER (Mr Weller) — The member's time has expired.

Debate adjourned on motion of Mr CRISP (Mildura).

Debate adjourned until later this day.

HEALTH (COMMONWEALTH STATE FUNDING ARRANGEMENTS) BILL 2012

Statement of compatibility

Dr NAPHTHINE (Minister for Ports) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 (the charter act), I make this statement of compatibility with respect to the Health (Commonwealth State Funding Arrangements) Bill 2012.

In my opinion, the Health (Commonwealth State Funding Arrangements) Bill 2012, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter act. I base my opinion on the reasons outlined in this statement.

Overview of bill

The purpose of the bill is to implement the funding arrangements set out in the national health reform agreement between the commonwealth and the states and territories that was agreed to by the Council of Australian Governments on 2 August 2011. The bill establishes the office of the administrator of the national health funding pool, a state pool account and a state managed fund.

Human rights issues

1. *Human rights protected by the charter act that are relevant to the bill*

The bill does not engage any human rights protected by the Charter Act.

2. *Consideration of reasonable limitations — section 7(2)*

As the bill does not engage any of the human rights protected by the charter act it is unnecessary to consider the application of section 7(2) of the charter act.

Conclusion

I consider the bill is compatible with the Charter of Human Rights and Responsibilities Act 2006 because it does not raise any human rights issues.

Hon. Denis Naphthine, MP
Minister for Ports

Second reading

Dr NAPHTHINE (Minister for Ports) — I move:

That this bill be now read a second time.

In August 2011, the Council of Australian Governments agreed the national health reform agreement. The agreement will deliver major reforms to the organisation, funding and delivery of health services in Victoria and across the country.

The national health reform agreement supersedes the national health and hospitals network agreement, and protects the unique and valuable features of the Victorian health system whilst securing additional funding from the commonwealth.

This bill provides for the implementation of the funding, payment, accountability and transparency arrangements which underpin the agreement. The bill includes provisions which have been agreed with the commonwealth and all other states and territories and which will appear in complementary legislation in all jurisdictions, as well as Victorian-specific provisions.

The administrator of the national health funding pool will be a new independent statutory office-holder, distinct from commonwealth and state departments. The provisions relating to the administrator are common to all jurisdictions.

Currently the commonwealth provides funding to states and then funding is allocated to health services. Under the new arrangements established by this bill, the commonwealth and state will channel funds through state pool accounts to health services, with the payments to be managed by the administrator on the advice of the state.

The administrator will be a single individual appointed in all jurisdictions by the health minister following agreement by the Standing Council on Health. The appointment of the administrator in all jurisdictions will ensure that only an officer of the state will deal with state money. The administrator also carries out functions in his role as the commonwealth administrator. These functions are specified in the commonwealth National Health Reform Bill.

The administrator will be responsible for calculating and advising the commonwealth Treasurer on amounts to be paid into state pool accounts, overseeing payments of commonwealth and state funding, reconciling estimated and actual volume of service delivery, and publicly reporting on funding paid out of the state pool and state managed fund accounts and the delivery of public hospital services.

The administrator may not delegate any of his or her functions, although the national funding body has been created by commonwealth legislation to assist the administrator in carrying out his or her functions. The bill also contains a set of provisions intended to ensure the constitutional validity of these arrangements by conferring powers on the staff of the national funding body (as commonwealth employees) to enable them to

provide administrative assistance to the Victorian administrator.

The provisions provide for the chair of the Standing Council on Health to suspend the administrator from office in all jurisdictions at the request of the commonwealth minister, or three state or territory ministers. This suspension lapses after 60 days unless the council agrees to continue it, or else to terminate the appointment of the administrator.

If the council agrees to terminate the appointment, whether following a period of suspension or otherwise, all ministers must act to remove the administrator from office in their jurisdiction. The administrator may resign in writing to the chair of the council, who must then notify all other council members.

The chair of the council may also appoint an acting administrator when required, drawn from a panel consisting of people agreed by the council.

The state health ministers will direct the administrator to make payments from the funding pool, but cannot alter the distribution of commonwealth funding from that which was calculated by the administrator. No commonwealth minister is able to direct the administrator in the performance of his or her functions, however, the administrator is required to comply with directions from COAG.

The administrator must provide the health minister with a copy of the advice to the commonwealth Treasurer on the calculation of commonwealth payments, and may provide other relevant information to all state ministers. In addition, the administrator must provide information to state ministers on request. Under the related commonwealth legislation, it is intended that the commonwealth government will make regulations prescribing the national health funding body as an inter-jurisdictional agency under part 6A of the commonwealth's Financial Management and Accountability Act 1997, to ensure that state ministers will have the same level of access to information about the operations of the funding body as the commonwealth minister.

State pool account and state managed fund

Consistent with the terms of the agreement, the bill establishes two separate trust accounts for Victoria for the purpose of receiving and distributing commonwealth and state funding for hospital and public health purposes: the state pool account and the state managed fund. The state pool account will be maintained through a separate bank account at the Reserve Bank of Australia and is to be managed by the

administrator appointed concurrently by each jurisdiction, acting solely on the direction of the state Minister for Health, for the purpose of distributing funds to health services. Funds in this account, while still forming part of the public account, will not be within the Consolidated Fund but, rather, reported on by the administrator separately and treated in the state accounts as a trust account.

The state managed fund is established as a trust account in the trust fund for the purpose of distributing funds for block funding for health services and grants for teaching, training and research as well as commonwealth public health funding. The state managed fund is to be managed by the Department of Health for the purposes of financial management reporting and audit.

Any moneys standing to the credit of these accounts will constitute state moneys and will form part of Victoria's public account.

Financial management arrangements

The usual financial management schemes of the commonwealth and the states (including the Financial Management Act 1994 of Victoria and the Financial Management and Accountability Act 1997 of the commonwealth) will not apply to the administrator. Instead, he or she will be required to develop and apply appropriate financial management policies and procedures in accordance with a customised financial management scheme which has been agreed by all jurisdictions and any COAG directions which are agreed. This will ensure that the administrator is not required to have reference to nine separate financial management regimes in undertaking his or her functions.

Under these customised arrangements, the administrator is responsible for preparing monthly reports on payments into and out of state pool accounts and state managed funds, including the basis on which the payments were made. The administrator is also to prepare special purpose financial statements on the operation of the state pool account, which will be audited by the state Auditor-General and then included in the administrator's annual report.

Similarly, to ensure the administrator, as an officer of nine jurisdictions, is not subject to nine different administrative law schemes, the bill also disapplies the Freedom of Information Act 1982, the Health Records Act 2001, the Information Privacy Act 2000, the Interpretation of Legislation Act 1984, the Ombudsman Act 1973 and the Subordinate Legislation Act 1994 to

the office of the administrator and adopts the relevant commonwealth laws, as modified by the commonwealth regulations. These regulations may only be made with the agreement of all relevant state ministers.

Audit arrangements

With respect to audit arrangements, the functions of the administrator will be subject to financial and performance audit by the Victorian Auditor-General. Financial audits will be on the basis of financial statements prepared by the administrator, as provided for in the bill.

Performance audits can be conducted at any time by the Victorian Auditor-General, consistent with the provisions of the Audit Act 1994.

The Department of Health will continue to be subject to the usual financial and performance audit arrangements as provided for under the Audit Act 1994. This includes in relation to the state pool account and the state managed fund.

Under current accounting standards, the state pool account will be an administered account of the Department of Health, while the state managed fund will be a controlled trust.

These audit arrangements ensure an equivalent level of audit coverage as under the previous arrangements, where the commonwealth provided its funding on the basis of the national health-care specific purpose payment.

The commonwealth administrator will be able to be audited by the commonwealth Auditor-General. This will include financial and performance audits of the commonwealth administrator's functions, including the advice provided to the commonwealth Treasurer regarding the commonwealth funding contribution.

This bill will commence on proclamation.

I commend the bill to the house.

Debate adjourned on motion of Mr HOLDING (Lyndhurst).

Debate adjourned until Wednesday, 6 June.

RESIDENTIAL TENANCIES AMENDMENT BILL 2012

Hon. Michael O'Brien, MP
Minister for Consumer Affairs

Statement of compatibility

Mr O'BRIEN (Minister for Consumer Affairs) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006, ('charter act') I make this statement of compatibility with respect to the Residential Tenancies Amendment Bill 2012.

In my opinion, the Residential Tenancies Amendment Bill 2012 ('the bill'), as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter act. I base my opinion on the reasons outlined in this statement.

Overview of bill

The bill amends the Residential Tenancies Act 1997 to clarify the consequences of a third successive breach of a duty provision. In particular, the bill clarifies that a person who has issued two previous breach of duty notices has the capacity to issue a notice to vacate or a notice of intention to vacate (as the case may be) on the instance of a third breach of the same duty provision.

The bill also makes amendments to improve the administration and repayment of bonds, including amendments to improve the payment and payment out of bond loans provided by the director of housing on behalf of private tenants.

Human rights issues

Section 13 — privacy and reputation

The right of a tenant or resident not to have the tenant or resident's home unlawfully or arbitrarily interfered with may be engaged when a notice to vacate is issued. The amendments proposed by this bill clarify that a person may only serve a notice to vacate for a breach of a duty provision, if the tenant or resident has previously been served with two successive breach of duty notices for a breach of the same duty. Therefore, any interference with the tenant or resident's home or family will be lawful.

If a notice to vacate is issued and the tenant or resident remains in the rented premises, the person seeking eviction may only regain possession of the rented premises if the Victorian Civil and Administrative Tribunal ('VCAT') grants a possession order. VCAT may only grant a possession order if VCAT is satisfied of a number of factors, including that the person was entitled to give the notice to vacate. Therefore, while the right is engaged, any interference with the family or home will not be arbitrary or unlawful and will be subject to review. Accordingly this right is not limited.

Conclusion

In my opinion, the Residential Tenancies Amendment Bill 2012 is compatible with the charter act.

Second reading

Mr O'BRIEN (Minister for Consumer Affairs) — I move:

That this bill be now read a second time.

This is a bill to amend the Residential Tenancies Act 1997, to improve its operation and efficacy. The bill will clarify the operation of provisions that enable individuals to serve a notice to vacate or a notice of intention to vacate following successive breaches of a duty owed to them. The bill also makes a number of changes to provisions relating to the lodgement and paying out of residential tenancy bonds.

A key component of Victoria's residential tenancies legislation is the concept of duties that are owed by parties to an agreement regulated under the Residential Tenancies Act. These duties may differ depending on whether the agreement relates to a rented premises, a room in a rooming house, or a site located at a caravan park or a part 4A park. In general, the duties cover issues that may arise from the use and maintenance of rental accommodation, including, for example, duties not to cause damage to the premises, duties not to cause a nuisance or interference, duties to provide certain information, and duties to ensure quiet enjoyment.

Under section 208 of the act a person to whom a duty is owed under a duty provision may give a breach of duty notice to a person in breach of that duty. The notice must, amongst other things, specify the breach, give details of loss or damage caused by the breach, and specify the actions that the person must take to either remedy the breach or compensate the person to whom the duty is owed.

The breach of duty notice must also include information about the consequences of non-compliance with the notice, including that a notice of intention to vacate or notice to vacate may be given if a similar breach is committed in the future.

Therefore, the act envisages that successive breaches of the same duty will provide a person with grounds to issue a notice to vacate in the case of a landlord, rooming house owner, caravan park owner or part 4A site owner, or a notice of intention to vacate in the case of a tenant or resident. However, it is currently unclear how many breach of duty notices are required before a person gains the right to serve a notice to vacate or notice of intention to vacate.

The intent of the legislation is that such a notice can be served at the point of a third breach of the same duty. However, recently the Victorian Civil and Administrative Tribunal has interpreted the legislation as requiring the service and expiry without compliance of a third breach of duty notice before a notice to vacate or notice of intention to vacate can be served.

The amendments introduced by this bill make it clear that a notice to vacate or notice of intention to vacate may be served by a person who is owed a duty, provided that the person has served a breach of duty notice for a breach of the same duty on two previous occasions.

While there is no need for a third breach of duty notice to be issued, it should be noted that the bill specifically preserves the option for a person to elect to issue a third breach of duty notice, rather than proceeding with a notice to vacate or notice of intention to vacate. Should this option be pursued, the bill states that the third notice will need to expire without compliance before a notice to vacate or notice of intention to vacate can be subsequently served.

The bill also makes a series of amendments to part 10 of the act, which establishes the Residential Tenancies Bond Authority and sets out requirements for the lodgement and repayment of residential tenancy bonds.

Section 406 of the act places a duty on a landlord, upon receipt of a bond from a tenant, to lodge that bond with the Residential Tenancies Bond Authority, which will hold the bond in trust for the landlord and the tenant. The bill makes clear that this duty includes any instalment payments or part payments of a bond which may be made by a tenant. Some landlords have taken the view that the bond need only be lodged once all payments had been received, a practice that can lead to the tenant being disadvantaged if a dispute arises and the bond instalments have not been lodged with the bond authority.

The bill also removes another area of conflict between landlords and tenants in relation to the repayment of bonds. A key component of the bond system is that all parties have an equal say on the amount of bond to be paid to each party at the conclusion of a rental agreement. The bond authority has received complaints from tenants who have signed blank or incomplete bond claim forms and have subsequently received an amount of bond that was different to the amount verbally agreed with their landlord or agent. The bill addresses this by making it an offence for a landlord to request or obtain a tenant's signature on a bond claim application form if the form does not specify the

amount of bond to be refunded and the apportionment, if any, of that amount. A maximum penalty of 20 penalty units applies to this offence.

The bill simplifies and improves processes relating to bond loans made by the director of housing. In recognition that finding the money for a bond may be difficult for those on low incomes, the director of housing has the capacity to provide a bond loan in certain circumstances. Such loans may cover the entire bond or a partial amount of the bond.

Sometimes a tenant who is eligible for a bond loan may pay the bond in advance of receiving a loan from the director of housing, in order to secure the tenancy.

While there is a process by which the bond authority can substitute the bond paid by the tenant with the bond loan, this process requires the signature of the landlord. The bond authority has received many complaints from tenants who have been unable to obtain their landlord's signature for a variety of reasons ranging from the inconvenience of additional paperwork through to concerns that to do so might be contrary to other provisions of the act.

The bill places an obligation on the bond authority to refund an amount of bond paid by a tenant and substitute that bond with an equivalent amount of bond provided by the director of housing. This amendment removes the need for a tenant seeking a bond substitution to obtain the landlord's signature before lodging the necessary application. The landlord will still be alerted to the substitution, as the bill requires the bond authority to notify the landlord of the substitution.

The bill simplifies the process by which the director of housing can be reimbursed the amount of a bond loan following the conclusion of a rental agreement.

A joint application from the tenant and the landlord is generally required in order to release a bond loan at the conclusion of a tenancy. Often there is little incentive for either the landlord or the tenant to make such an application if neither party is to receive any direct monetary benefit. For example, a tenant may have little incentive if the money is to be refunded to the director of housing. Similarly, a landlord may have little incentive if he or she is making no claim on the bond.

As a result, the Residential Tenancies Bond Authority currently holds over \$740 000 in bond loans that are effectively frozen as it has no legislative capacity to directly repay any of these moneys to the director of housing.

The bill enables the bond authority to make direct payment to the director of housing if it receives a new

bond for a different tenancy in the same premises and no application for a refund of the previous bond has been made within 12 months of the date of receipt of the new bond.

Direct payment to the director of housing can only be made in circumstances where no application for a refund of the bond has been made within 12 months of the date on which a new bond for the premises is received by the bond authority.

Importantly, this amendment will have a direct impact on private tenants on low incomes by ensuring there is over \$740 000 in additional money available for bond loans to assist low-income renters to secure access to rental accommodation.

The bill also simplifies the process for repayment of a bond to the director of housing via application, by removing the requirement for a joint application to be made by a landlord and tenant. Instead an application may be made for repayment of the director of housing solely by the landlord.

Finally, the bill makes an amendment to ensure that the Consumer Affairs Legislation Amendment (Reform) Act 2010 is not automatically repealed before all of its provisions have come into operation.

The introduction of this bill will result in practical improvements and alleviate specific areas of confusion and dispute in the administration of residential tenancies legislation.

I commend the bill to the house.

Debate adjourned on motion of Mr HOLDING (Lyndhurst).

Debate adjourned until Wednesday, 6 June.

LOCAL GOVERNMENT (BRIMBANK CITY COUNCIL) AMENDMENT BILL 2012

Statement of compatibility

Mrs POWELL (Minister for Local Government) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 ('charter act'), I make this statement of compatibility with respect to the Local Government (Brimbank City Council) Amendment Bill 2012 ('the bill').

In my opinion, the bill as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter act. I base my opinion on the reasons outlined in this statement.

Overview of bill

The purpose of the bill is to:

- a. enable the council to continue to be constituted by a panel of three administrators, until the next election; and
- b. provide that the next election for Brimbank City Council will be held in 2015 rather than in 2012.

This will extend the present term of administration for the council, which commenced in 2009. The term is otherwise due to expire at the first meeting of the elected council following the municipal general elections (including at Brimbank) scheduled for late 2012.

However there are sound reasons for extending the administration beyond this date, until March 2015.

Human rights issues

Section 18 of the charter act establishes a right for an individual to, and to have the opportunity to, without discrimination, participate in the conduct of public affairs, directly or through freely chosen representatives. Section 18 also provides for every eligible person to have the right to vote and be elected at state and municipal elections that guarantee the free expression of the will of the electors, and to have access, on general terms of equality, to the Victorian public service and public office.

Clause 4 of the bill limits the right under section 18 of the charter act by postponing elections for a further two and a half years. During this period, the right of voters to participate in the Brimbank City Council election is suspended, as are the rights of candidates to stand for election, and to occupy public office.

However, the limit is reasonable and justified for the following reasons.

Three years ago, the Brimbank City Council was dismissed by the Local Government (Brimbank City Council) Act 2009. This followed findings of profound failures of governance by the Ombudsman, and a recommendation to remove the council by an inspector of municipal administration appointed to monitor and evaluate council's capacity.

Removal of an elected council is a last resort, and undertaken only in exceptional circumstances. Brimbank was one of those very rare cases, in which the government had a responsibility to protect communities from misgovernance by their local representatives.

A panel of three administrators was appointed to constitute the council until the next scheduled elections in 2012. Among the administrators' core responsibilities are the development of strategies to improve council's decision making and governance processes to ensure consistency, fairness and transparency and to improve accountability. These include frameworks for finance and governance, risk management and community engagement. Effective implementation of these strategies is critical to embedding robust governance

practices and restoring the confidence of the Brimbank community in the capacity of elected representatives to govern responsibly in the interests of the entire community.

While much progress has been made towards the development and implementation of these strategies, it is apparent that a number of key projects central to the realisation of improved governance will reach a critical stage during 2012, and some will not be fully realised for at least a further two years.

An important part of the administrators' task has been working with the Brimbank community to establish a broad understanding, acceptance and ownership of the reforms in contrast to the divisive manner in which previous councils had operated. Representations from the Brimbank community indicate that serious concerns still remain in relation to council governance should elections be held in 2012. It is critical that the reform process be thorough and complete, to avoid a repeat of the previous division between council and community.

Under the bill, return to elected representation for Brimbank City Council is scheduled for March 2015.

Conclusion

On the basis of the above reasoning, I consider that the bill's limitation of the right to participate in public life is reasonable and proportionate and that therefore, the bill is compatible with the charter act.

Jeanette Powell, MP
Minister for Local Government

Second reading

Mrs POWELL (Minister for Local Government) —
I move:

That this bill be now read a second time.

The Local Government (Brimbank City Council) Amendment Bill 2012 will amend the Local Government (Brimbank City Council) Act 2009.

The purpose of the bill is to extend the period of administration at Brimbank City Council, in order to complete the restoration of good governance to that municipality.

The recent history of Brimbank is well known, and will be only briefly recapped here. It is instructive to recall the state of affairs when the Brimbank City Council was sacked by an act of Parliament.

In 2009 the Ombudsman found that the council was seriously dysfunctional, riddled with infighting, subject to improper influence and misuses of power, and generally incapable of providing good government to the community.

The former government responded by appointing an inspector of municipal administration to monitor the

council's progress in addressing issues raised by the Ombudsman's report. The inspector found that despite the election of a new council, little had changed with a continuing culture of factional conflict and favours, and seriously poor governance.

Consequently, the former government rightly dismissed the councillors and replaced them with a panel of three administrators.

The panel faced a daunting task — to rebuild dysfunctional governance processes and structures within the council, and to restore seriously damaged relationships with the local community.

Three years later, much progress has been made, and the panel are to be congratulated for their achievements to date. The administrators have been indefatigable in their efforts.

Governance processes are being rebuilt, council finances are being strengthened, and a range of projects are under way to revitalise community infrastructure and build local capacity.

The Brimbank community is reaping many benefits from this period of administration. This is not only apparent from the annual reports, council plans, budgets and progress updates from the administrators, but it is also the clear opinion of community members.

A range of residents have written to express their approval of the efforts of the administrators. In the words of one, the panel 'have delivered an outstanding level of professionalism in the performance of their role', and they have closely engaged with the community.

While it is pleasing to acknowledge how much has been achieved, it is important to be clear that much still remains to be done.

In June last year the process began of reviewing the administration's progress to date and its forward program of reforms, in order to assess the council's readiness to return to elected representation.

On the basis of all the available information, it is clear that it would be in the best interests of the community for the period of administration to continue for a further two and a half years.

It is also clear that a premature return to elected representation would create unacceptable risks and set back the impressive reform program now under way at Brimbank.

Responding to the weight of evidence, this bill provides for a continuation of the period of administration, until the return of a democratically elected council on the fourth Saturday of March 2015.

March 2015 has been chosen to ensure there is adequate time for key programs and reforms to be properly implemented.

In particular, there are a range of major projects, which would be vulnerable to politicisation. These include major community facilities, and it is notable in this context that the Ombudsman was particularly scathing about the misuse of such facilities by the previous council.

In addition to this bill which extends the period of administration to allow the renewal program to proceed, the administrators will also be asked to focus on facilitating a smooth transition back to an elected council in 2015.

This relatively short extension will give the people of Brimbank the best chance of having a council which delivers effective and stable local government in the long term.

I commend the bill to the house.

Debate adjourned on motion of Mr HOLDING (Lyndhurst).

Debate adjourned until Wednesday, 6 June.

MONETARY UNITS AMENDMENT BILL 2012

Second reading

Debate resumed from 2 May; motion of Mr WELLS (Treasurer).

Mr HOLDING (Lyndhurst) — Being in opposition presents one with very few pleasures, but one of the few pleasures is watching acts of breathtaking hypocrisy. The Monetary Units Amendment Bill 2012 currently before the house is one such act. I say at the outset that the opposition will be opposing this bill.

This bill, as I have just said, is one of breathtaking hypocrisy. We oppose this bill, firstly, because it exposes the hypocrisy of those opposite in the comments and contributions they made back in 2004 when the original Monetary Units Bill 2004, the now Monetary Units Act 2004, was introduced into this house.

Secondly, we oppose this bill because when in it was in opposition the current government railed against automatic indexation and all of the features of automatic indexation that were contained in the Monetary Units Act that was passed back in 2004. Then opposition members railed against what they described as the outrageous and unjust imposts of indexation — often only in line with the CPI — being imposed on Victorian families and claimed that such increases were an outrageous burden on those families and that Victoria's fine regime was merely a revenue-raising exercise to enable the then government to shore up its budget bottom line. The government has introduced the bill we are debating today in this Parliament despite the rhetoric it subjected Victorians to and the implied commitment that was involved in that rhetoric.

Thirdly, we oppose this bill because it reveals the abject incompetence of the Treasurer, the member for Scoresby, who is in the chamber as I speak. He gazetted increases in fees and fines — essentially the rebasing of the fees and fine units — in the *Government Gazette* in March this year, and yet he brought into this Parliament a little over a month later a bill which substantially changes and increases the base amount for a fine unit. It may have been an act of breathtaking cynicism in trying to deceive Victorians in the lead-up to the budget by saying that the increase to fees and fines would be in the order of only 2.5 per cent when in fact the government intended to do something substantially different in the budget itself by significantly increasing the base of a fine unit through this act.

Alternatively it is an act of breathtaking incompetence in, firstly, gazetting arrangements under the existing monetary units legislation for an increase of around 2.5 per cent, and secondly, deciding, presumably only a couple of weeks later in the expenditure review committee process or whatever the government's equivalent process is, that it needed to rake in yet more millions of dollars from Victorians and that the increase for a fine unit would need to be larger than that which had been gazetted on, I think it was, 29 March of this year.

This bill declares a fine unit at significantly more than that: the increase once it is added to the 2.5 per cent is more in the order of 15 per cent. I think, frankly, that when Victorians reflect on this legislation, on what was in the *Government Gazette* back in March and on what the government said when in opposition about automatic indexation each and every year when it was exercised by the former government, and when they consider the comments made by so many members of the current government when they were in opposition at

the time of the introduction of the Monetary Units Act 2004, they will be appalled. They will be appalled at the act of breathtaking hypocrisy that has led this government, firstly, to increase both fee and fine units through the *Government Gazette* process, as they have already done, and secondly, and most staggering of all, to bring into Parliament this legislation, which proposes an increase in the fine unit in the order of 15 per cent when read in conjunction with the increase that was gazetted in March of this year. It will be for Victorians to judge this government against the things that it said in opposition and the action it has subsequently taken upon coming to government.

To reiterate, the opposition does not support the Monetary Units Amendment Bill 2012. This bill rebases the value of a fee and penalty unit to \$12.53 and \$140.84 respectively. The bills also sets the annual indexation increase for the financial year 2012–13 at 2.5 per cent. Following these amendments the provisions of the original Monetary Units Act 2004, which this bill amends, relating to the indexation of fee units and penalty units will continue to operate as before in subsequent financial years — that is, the annual indexation will continue to be set at a level the Treasurer determines, via the *Government Gazette*, unless he fails to do so, when it will then be the rate that was determined in the previous financial year.

The reason I set out not only the amounts themselves but the arrangements is that when one goes to the arrangements that this bill effectively endorses, being the current arrangements for setting a base amount for fee units and penalty units and then a process for annual indexation, one has only to reflect on the comments that honourable members opposite made when they were in opposition at the time of the original Monetary Units Act being passed by this Parliament back in 2004 to see what an act of unbelievably staggering and spectacular hypocrisy the measure that is being considered by this house is. If we go back to that debate we see that the act to establish the arrangements for automatic indexation — the act which this act seeks to amend — was introduced by the former government, passed by this house back in 2004 and fiercely, stridently and strenuously opposed by those opposite, who were at that stage, as I recall, not in coalition with The Nationals. However, as I will point out in my contribution, it was also opposed by The Nationals at the time.

What did honourable members who are certainly members of the current government and who in some cases are members of the cabinet say during the second-reading debate on the Monetary Units Bill back in 2004 when the arrangements were made that this

government is now endorsing through the passage of this bill in this house today? Firstly, the lead speaker for the opposition was none other than the member for Box Hill, the now Minister for Finance. What did they do when the then government was introducing a bill to enable automatic indexation to take place — indexation which this government when in opposition described as an outrageous and unjustified impost on Victorian families? What did they do?

They opposed the bill from the opposition benches, saying:

The opposition strenuously opposes this bill for two reasons. The first is that it —

automatic indexation —

is an attack on fundamental constitutional principles of responsible government — principles that date back to the Bill of Rights of 1689.

In 2004 a bill to establish a process of automatic indexation was described by the then opposition's lead speaker, now the Attorney-General, as an attack on the fundamental tenets of parliamentary democracy not only as we understand it in Australia but going right back to the Bill of Rights of 1689.

You have to admire the chutzpah of members of the government in bringing this bill into the chamber today. They described the bill that established this framework of automatic indexation as an attack on the basic principles and most fundamental tenets of parliamentary democracy going right back to the Bill of Rights, yet they can bring this bill in today with straight faces. I admire them for having more front than Myer.

The second ground for the then opposition opposing the Monetary Units Bill 2004 — which became the principal act that this bill seeks to amend — was that the legislation was an unjust attack on Victorian families. The member for Box Hill said:

The bill purports to provide for the annual indexation of fees, charges and fines in line with inflation, but in fact it sets no limit whatsoever on the amount of the annual increase which the Treasurer may impose under it. The government is thus seeking for itself the power to increase fees by any amount it likes and to turn fees for service into unashamed revenue-raising devices. To make sure its power to do so is unfettered it is specifically excluding any right of Parliament to either review or disallow the increases it imposes.

That is what the member for Box Hill said at the time the act establishing this framework was put in place. The then opposition said not only that automatic indexation was an outrageous attack on parliamentary democracy but also that the fact that it did not enable it to occur within the context of the consumer price index

was in fact a device that the government could use to raise revenue beyond the normal increases in costs and charges that occur from time to time.

What do we find in this bill before the Parliament today? Lo and behold, we find that the increase is not in line with CPI. It is not anything like CPI — the proposed increase in penalty units is in the order of 14 per cent to 15 per cent. That is what will occur as a consequence of the passage of this bill, as a consequence of the very framework that the former government put in place and the then opposition so fiercely opposed in 2004.

It was not just the member for Box Hill but also members of The Nationals who stood in this place and railed against the measures introduced by the 2004 bill — now an act of Parliament that Liberal members seek to amend — and against the principle of automatic indexation as an attack on parliamentary democracy and Victorian families because it potentially gave the Treasurer the capacity to increase fees and fines beyond the level of the CPI. Standing shoulder to shoulder with members of the then opposition were their great allies in The Nationals, who lent their support to this campaign.

What did the Leader of The Nationals say in his contribution to the second-reading debate? He said:

The Nationals are opposed to the bill.

We see it as an absolute assault upon the families of Victoria and the businesses that operate in the state.

He went on to say:

For all those reasons The Nationals oppose this legislation. At the time the budget was introduced last year we opposed this aspect of it. We did not oppose the budget — that would be an extraordinary thing to do — because there were some elements in it which we thought were good initiatives, but we have always opposed this element of it. It is a miserable thing for a government to do, and its reputation in such things is becoming increasingly miserable.

Members of The Nationals stood shoulder to shoulder with their allies in the Liberal Party to say that the process of establishing automatic indexation was an outrageous, miserable thing for a government to do and, further, was an attack on parliamentary democracy.

What did the member for Kew say in his contribution to the second-reading debate back in 2004? He also railed against this measure, saying it was a breach of the SARC — the Scrutiny of Acts and Regulations Committee — processes to enable changes to statutory rules and increases above the CPI without a regulatory

impact statement. He too basically said this was outrageous. He said:

... those individual statutory rules are subject to a regulatory impact statement. Irrespective of all those machinations, SARC in its broad powers can recommend disallowance of that statutory rule fee increase under the current operation of the legislation or this Parliament can disallow that fee increase under the current regime.

For the member for Kew the inability of the Parliament to have a vehicle for disallowing these instruments, these statutory rules or whatever they were was why the bill — now an act — needed to be opposed. He stood here railing against it, like so many other members of the Parliament.

I mean no disrespect, Acting Speaker, but I wish the then member for Mornington, the Honourable Robin Cooper, were still in this Parliament so that he could stand here and, no doubt, support the opposition. We are a little bit glad that he is not here, but on the basis of what he said at the time I am sure he would have my back in terms of making sure the opposition's points about the bill could be compellingly made. What did he say? This was his attack on members of the Labor government who stood up and defended the principle of automatic indexation:

What a load of rubbish ... What we are saying here — and let me express it quite clearly for the thickheads who are debating this issue on behalf of the government — is we believe there needs to be some transparency in this arrangement.

According to the then member for Mornington, opposition members were thickheads because they were unable to get it through their heads that the principle of automatic indexation, according to him, was so completely outrageous. We heard from speaker after speaker, current government member after current government member, then member of the opposition after then member of the opposition. The member for Bulleen, the current Minister for Multicultural Affairs and Citizenship, said 'This bill is just the start'. He was right about that, because we have the next step in it before the Parliament. I cannot wait to hear from the minister. He must be rushing in from his office now to make sure that this reprehensible attack on parliamentary democracy — I do not know what he said in cabinet; we will never know — is stopped forthwith, because in opposition he said:

One would say that it is the embryonic stage of legislation; it is just the beginning. The government will start putting its hands into our pockets and will not stop. There is only one decent thing to do, and that is to oppose this legislation.

I am sure that the minister is rushing up to defend himself as we speak, because he knows that the only

decent thing to do is to oppose this legislation. He knows that, so we can only guess what he said in the cabinet discussion around this bill and the budget himself, because he must be outraged. I do not know how he can possibly sleep at night, because maybe not all members of the government get it. They were not all here in 2004, but those who railed against this legislation must know. Let *Hansard* record the dripping sarcasm in my voice. Government members must know the only decent thing to do is to oppose this miserable piece of legislation, as the continuing Leader of The Nationals said at the time.

The truth is the introduction of the Monetary Units Bill 2004, which is now an act of Parliament, was a completely legitimate and reasonable thing to do. The government said so at the time. The hypocrisy of the opposition, the current government, in standing up, opposing that bill and pretending to Victorians that somehow the bill represented an attack on parliamentary democracy was an outrageous fabrication to peddle to the people of Victoria. The evidence that the government knows it was a fabrication peddled to the Victorian people is the fact that this bill is before the Parliament today. It is before the Parliament today because members of this government accept the principle of automatic indexation. They accept that it is the right of the government of the day to set fees and fine units at the level they see fit, provided they are willing to defend those increases to the Victorian people. The reason these increases are indefensible to the Victorian people is that government members said when in opposition this is something they would not do.

That is what is outrageous in this bill and that is why the opposition opposes it. We oppose this bill because it is dripping in hypocrisy. In an article in the *Herald Sun* of 23 June 2008 the then state political editor, John Ferguson, reported the comments of the now Treasurer of Victoria, then shadow Treasurer, on the principle of automatic indexation. This is what the current Treasurer is reported as saying:

‘The unjust burden of automatic tax indexation will hit Victorians at work and play, whether driving to work, walking their dog, registering their new bundle of joy or trying to start a small business’ he said.

‘There is no justification for these outrageous increases when Victorian families are battling to make ends meet ...’

Obviously the Treasurer believes Victorian families are no longer battling to make ends meet, because the process of automatic indexation can continue as far as the member for Scoresby is concerned. The Treasurer of Victoria and the now government have been spectacularly silent on the many things they banged on

about when in opposition since they have found themselves ensconced on the Treasury benches. Victorians are not fools; they will remember that when in opposition these people opposite railed against automatic indexation and voted against the Monetary Units Bill, the now act of Parliament they are seeking to wrap themselves in with these amendments today. The Victorian people will remember these acts of members of the now government when they vote in November 2014, and they will judge them harshly. They will judge them harshly because this is an act of breathtaking hypocrisy.

If it were just an act of breathtaking hypocrisy, we would oppose the bill and say, ‘That is this government acting true to form. What do you expect? As on so many other things, its members said one thing in opposition and are saying the opposite in government’. But it is not just an act of breathtaking hypocrisy; it is also apparently an act of spectacular incompetence. It is either an act of spectacular incompetence or an act of frightening cynicism. I refer to the fact that under this legislation the appropriate way for the Treasurer to set fee units and fine units and establish the percentage for automatic indexation, the indexation rate in each year, is to publish a notice in the *Government Gazette*. That is how this process is supposed to work, and the Treasurer knows that, because on 26 May 2011 through a notice in the *Government Gazette* he said:

I, Kim Wells, Treasurer of the state of Victoria, under section 6 of the Monetary Units Act 2004, by notice fix the value of a fee unit and a penalty unit for the financial year commencing 1 July 2011 as follows:

- (a) The value of a fee unit is \$12.22; and
- (b) The value of a penalty unit is \$122.14.

The Treasurer used the proper process last year. He published it in the *Victoria Government Gazette*. I have to say all of us — including me, the Victorian media and Victorian families — assumed that he understood the process again this year, because back in March of this year he was again setting the fee and fine units for Victorians in the lead-up to the budget. The *Government Gazette* of 29 March 2012 says:

Notice under section 6, fixing the value of a fee unit and a penalty unit

I will ignore the purfling and cut straight to the chase. It says:

- (a) The value of a fee unit is \$12.53; and
- (b) The value of a penalty unit is \$125.19.

This notice is dated 16 March. It was published in the *Government Gazette* on 29 March. There it was. Victorians were told on 29 March that that is what the increase would be. Then a month later on 1 or 2 May the Treasurer was in this chamber presenting the second-reading speech for this legislation and outlining a new base level for fees and fine units, being \$12.53 for the fee unit and \$140.84 for the penalty unit. There it is.

It would have been probably less than two weeks. If the government's budget process was as shambolic as we understand it to have been, it would have been about two weeks later that members of the budget and expenditure review committee would have been sitting around and the Treasurer would have said, 'Guys, we need more cash and the best place to get cash is straight out of the pockets of Victorian families'. What does he do? He ignores the *Government Gazette* and the proclamation notice that was duly published in it in accordance with section 6 of the Monetary Units Act 2004. He comes in this chamber with this bill which substantially increases penalty units and rips into the pockets of Victorian families, and he does exactly the opposite of what he said he would do when the government was in opposition.

This is exactly contrary to all of the Treasurer's claims about outrageous and unjust burdens on Victorian families. He has used the very framework — the Monetary Units Act — put in place by the former government which the now government railed against when in opposition. Members opposite who are now members of the government said that act was a fundamental attack on parliamentary democracy and an attack on Victorian families and businesses. Now we are in here with this bill before the Parliament and we are being asked to support this proposition which would see the legislation that we put in place and that government members opposed in opposition being used to increase penalty units above the level announced in the *Government Gazette* in March of this year. The Treasurer is acting against his own process. He has brought in a bill that acts against his proclamation published in the *Government Gazette* only a month beforehand.

The ink would not have been dry on this *Government Gazette* notice when the Treasurer raced into this Parliament, introduced this bill and asked us to support it. There are not many things I admire about the Treasurer, but I admire his chutzpah because it takes enormous front to come into this chamber and introduce a bill like this knowing what government members said when in opposition, knowing what they said when the Monetary Units Bill 2004 was originally

debated in the Parliament and knowing the sorts of things they said in the lead-up to this situation.

I have a question for the Treasurer. I ask him when he sums up this debate to tell us when the government took this decision. Did the government already know when the *Government Gazette* was published on 29 March that this bill would be coming into this Parliament and that the increase in the value of the penalty unit would not be 2.5 per cent but actually 15 per cent? Did the Treasurer know this when the Premier was saying, 'If you don't speed, you don't have to pay fines'? What a difference and what a change in attitude government members have to fines compared to what they had, and what they said, when they were in opposition.

We remember a former member for Mordialloc saying when Labor was in office that every Victorian who got a speeding fine in the mail was being presented with a Liberal Party how-to-vote card. That is what he said about the penalty regime in Victoria. He basically said that it was a campaigning device for the Liberal Party. Fining Victorians for speeding too much was a device that the Liberal Party could use to vacuum up votes around Victoria. Do not worry about the road safety implications of it and do not worry about public education and the compelling actions that we put in place to reduce the road toll. Just look for the political advantage — that is the attitude that the government took when it was in opposition.

We say we will vote against the Monetary Units Amendment Bill not because we are opposed to automatic indexation, because we are not. We are opposed to this bill because it is such a fundamental breach of faith with the Victorian people. When you judge government members by what they said when they were in opposition and what they did when they were in opposition when they voted against the original bill, you realise that no Victorian could have expected this government to introduce such a breathtakingly hypocritical bill. No Victorian could have expected this Treasurer to have behaved so cynically or incompetently when he published that notice in the *Government Gazette* in March and when he brought this bill in the chamber and asked us to endorse a 15 per cent increase in the level of penalty units in Victoria. We do not support the bill; we do not support the hypocrisy of government members asking us to do so.

Mr KATOS (South Barwon) — I am pleased to rise this afternoon to make a contribution to the debate on the Monetary Units Amendment Bill 2012. The Monetary Units Act 2004 determines how the value of penalty units and fee units is set and calculated. These

values are used in relation to Victorian acts and regulations to determine fines for unlawful behaviour and the value of fees set for government services. The act allows for the indexation of fees and penalties. This figure is required to be set by the Treasurer by 1 March each year. It is later published in the *Government Gazette*.

The main features of this bill include the fixing of penalty and fee units at nominated values for 2012–13, clarifying the annual rate for the 2012–13 year and repealing some transitional sections of the act that were required when the act was implemented. Obviously the act has been in operation for several years now; hence those transitional sections are no longer required.

The main objective of the bill is to increase the value of the penalty unit by 12.5 per cent above the published value for the 2012–13 financial year. Section 5(7) of the act provides that the amount of a penalty unit that is fixed by the Treasurer must not exceed the amount that is the product of the value of the penalty unit in the previous year multiplied by the annual rate, hence an amendment to the act is required to increase the value of a penalty unit exceeding this statutory calculation. The bill also clarifies that the fee unit will remain equal to the published value, hence apart from normal indexation there will be no additional rise in the fee unit set to determine charges for government services. The published value of the penalty unit will be set at \$140.84 and the fee unit will be set at \$12.53 from 1 July. We are not putting up fees for government services apart from normal indexation.

This situation reminds me of one of the first meetings I attended as a councillor at the City of Greater Geelong. I recall that in my very first briefing, debate raged about whether we should put up parking fees in the CBD or whether we should put up fines. I remember a Labor councillor in that meeting quite vigorously saying we should put up fees for parking in the CBD, but I came in and said no, we should put up fines and penalise people who did the wrong thing — that instead of people who put their money into the meters paying extra, those who wished to break the law by not putting their money in the meter should be penalised extra.

As I said earlier, the Treasurer is required to set the indexation amount by 1 March of each year for the following financial year. The indexation amount is normally based on the CPI. This year the calculated CPI was 2.75 per cent, but the Treasurer has approved an increase of 2.5 per cent. The government is therefore introducing an index rise of less than the CPI.

The Baillieu government was elected on a strong platform of getting tough on crime. We consider law and order to be one of our main priorities. This is reflected in our commitment to an additional 1700 police officers and to placing 940 protective services officers on metropolitan and selected regional railway stations. Waurin Ponds police station, which is funded by this year's budget, is a measure — the State Emergency Service is also involved — clearly showing the commitment to law and order in the South Barwon electorate and Geelong region. By the end of the financial year 2012–13 we will have brought in 34 additional officers in Geelong since we came to office. As the Treasurer said in his second-reading speech, in order to back up the government's commitment to additional police resources there need to be commensurate initiatives to deter unlawful behaviour. The 12.5 per cent increase in the penalty unit will create that deterrence. It will send a strong message that unlawful behaviour will not be tolerated and that if you break the law you will be penalised.

In the area of road safety, for example, we need stronger deterrence for speeding motorists, drink drivers, hoon driving, something on which the Baillieu government has been very strong, and mobile phone use, where drivers speak on or text with their mobile phones. These are really important deterrence measures. You can have as many demerit points as you like for certain offences, whether it be disobeying a red light or stop sign or exceeding the speed limit, but nothing hurts more than that fine, affecting the hip pocket. It is a very strong deterrent. As I said earlier, we are increasing fees only by the indexed amount, so this is a strong message that unlawful or unwarranted behaviour of such sort will not be tolerated. This also involves antisocial behaviour, specifically individuals being drunk and disorderly and engaging in violent behaviour. As we have seen in the past in the Geelong CBD, we need to have strong deterrents, not only jail terms but also monetary deterrents. It really does stamp it home when you are paying a large fine in the sober light of morning — when you realise what you have done and that there is a fine as well.

It is important to ensure that this bill has a speedy passage through the Parliament. We need sufficient lead time for government departments to make these administrative adjustments for the new values to take effect. Also, importantly, if the bill does not receive royal assent by 30 June there could be two fee structures in place for the next financial year, which would be very confusing.

I will comment on the contribution of the member for Lyndhurst, who spoke of hypocrisy. I recall that in the

lead-up to the 2006 election members of the then Bracks government scoffed at the coalition wanting to build a desalination plant.

Honourable members interjecting.

Mr KATOS — They absolutely scoffed. The member for Lyndhurst spoke about hypocrisy, about not being able to sleep at night and about taking money straight out of the pockets of Victorians. What is the \$2 million a day for the next 27 years doing to the pockets of Victorians? It is 27 years and just under \$2 million a day, if you want to talk about hypocrisy. We could then talk about the north–south pipeline, which involved the greatest hypocrisy of all time. Those opposite said, ‘We will never take water from north of the Divide’. It was a promise that was categorically broken.

In summary, on 1 July the penalty unit will increase by approximately 15 per cent — with a 12.5 per cent increase in the published value plus the 2.5 per cent indexation. The fee unit will rise by only 2.5 per cent, which is the normal indexation. We are sending the message that if you do the right thing, you will not be penalised. If you are going to go out there and break the law, there will be a heavy penalty. We are sending that stronger message. With that, I am more than happy to commend the bill to the house.

Mr LIM (Clayton) — I was just amazed to hear the previous member’s contribution. You can see from his body language that he did not even believe what he was saying. He is very wimpish, and he knows he is wrong. I am just amazed; he used to be so boisterous and forthcoming, yet he has made such a wimpish contribution. Those on that side of the chamber know that this is an awful, dishonest bill, and that is an understatement. Let me start with this quote:

The opposition strenuously opposes this bill for two reasons. The first is that it is an attack on fundamental constitutional principles of responsible government — principles that date back to the Bill of Rights of 1689. The second is that it is yet another unjustified burden being imposed on Victorian businesses and families by a cash-strapped government that is desperate for more revenue to cover its spending blow-outs.

I would love to take the credit for those words, but I cannot. They belong to the member for Box Hill, when he was speaking in this house in March 2004 in the debate on the principal act, the Monetary Units Act 2004, which this bill amends. Presumably he will be voting against this bill, but I wonder where he was when the bill was before cabinet. As Attorney-General, did he advise the cabinet that the bill breaches fundamental constitutional principles? As Minister for Finance, did the member for Box Hill advise the

cabinet that it would place an unjustified burden on businesses and families to help a cash-strapped government? I suspect the answer to both questions is a big, fat no. That is why this bill stinks of hypocrisy.

Turning to fundamentals, when any legislation is brought before the Parliament both the Parliament and the community are entitled to a decent explanation of the need for it. In the 2004 debate the Leader of The Nationals, the now Deputy Premier, who is not in the chamber at the moment, complained about the length of the Treasurer’s second-reading speech. He said:

It is a sure sign the government is in trouble in relation to a given piece of legislation when the second-reading speech that brings it before the house is one page in length.

In the same debate the Leader of The Nationals also complained about the lack of scrutiny and public consultation, saying:

... this bill is a cop-out, because what the government is doing is imposing these increases in fees and fines without any justification in the sense of allowing any objective examination of whether they are justified or not. It is doing so in an environment where it wants to remove itself from the public scrutiny which should properly apply in relation to matters of this nature. They should be put out into the public domain so that people have the opportunity to comment on them.

Presumably the Deputy Premier was silent at the cabinet meetings, just as he and The Nationals were silent throughout the last Liberal-dominated government. However, it is not just the brevity that is the problem with the second-reading speech; it is the government’s downright dishonesty. The Treasurer gazetted the increase to penalty units in March at \$125.19. This bill now applies a substantial further increase of more than \$15 per unit by fixing it at \$140.84. The government has cloaked this increase in the mantle of law and order. No one believes that for a moment, no more than we believe in leprechauns or fairies at the bottom of the garden. So much for the Premier’s promise that there would be no spin by his government.

The real reason for the increase is revenue driven. We all know that, and that is why it is so dishonest to say it is about making Victoria safer. It is as though the government has briefly woken from its slumber and said, ‘Oh, dear me, Victoria is slipping into recession. We had better have a fine-led recovery’. Maybe it is Victoria’s version of austerity, but it will not work. The tragedy for Victorians is that this government has no vision, no drive and no energy. Projects have languished at a time when the government should have been driving them to encourage investment, economic

activity and employment. That is what is needed — not slugging Victorians.

I will briefly give two examples to demonstrate how warped the hike in penalty units is. Firstly, while increasing penalty units the government is slashing the road safety budget. Think about it! So much for making Victoria safer. Secondly, last month in the debate on the Primary Industries Legislation Amendment Bill 2012 I made the point that the penalties for some offences had, without explanation, been more than doubled to 5 penalty units. So while in some cases there is a double whammy, it provides a hint of what should have happened. If the government believes there are problems with particular offences that require a greater deterrent in the form of increasing penalty units, then it should do the hard work to identify those offences and make the necessary amendments to the appropriate acts. Instead the government has chosen the lazy option, and in doing so its hypocrisy is on display for all to see. I oppose this bill in the strongest terms possible.

Mr McCURDY (Murray Valley) — I am delighted to rise and speak about the Monetary Units Amendment Bill 2012 and the Monetary Units Act 2004. There are two parts to this bill — fee units and penalty units. The previous speaker was talking about hypocrisy and all sorts of other things I could not quite get my head around at the time, but this bill is about fee units and penalty units and about increasing those calculated costs.

Certainly this will do that by providing a fee unit and a penalty unit for the financial year, which will start on 1 July this year. Fee units are used in the act to calculate the cost of a certificate, registration or licence that is set out in the act. To avoid any doubt, the Monetary Units Amendment Bill 2012 clarifies that the value of a fee unit is exactly \$12.53 for the 2012–13 financial year.

In terms of penalty units, the bill sends a clear message about our policies of law and order and making our community safer. This is another example of ‘If you want to commit the crime, you will pay the fine’. That goes hand in hand with stronger policy, on which the government has come to office. Penalty units are used in Victoria’s acts and regulations to describe the amount of a fine, as we have heard earlier this evening, and the act sets out the way that these penalty units are calculated. This bill raises the value of a penalty unit to \$140.84 for this financial year, starting on 1 July. This is over and above the annual indexation increase of 2.5 per cent for the 2012–13 financial year.

The maintenance and promotion of law and order is a top priority for the government, as I have said before in

this chamber. Significant achievements of the government include the progressive introduction of the 1700 front-line police and protective services officers that opposition members claim they do not want. But then all of a sudden when we are rolling them out they are putting their hands up to say, ‘Pick me, pick me; we’ll have some at our train stations’.

The government intends to complement these and other initiatives by deterring unlawful behaviour through the imposition of adequate fines. This government is clear that people who offend against the laws of Victoria should be punished and that these offences should have unwelcome consequences for those who commit them.

As I say, as we roll out this law and order platform people are comfortable with the fact that we are doing something about our streets, which were getting out of control, and about the fact that people were feeling unsafe in their communities. It will take some time, but we are steadily getting there one step at a time. The situation has been ignored for too long now. It is the intention of the government to increase fines so that people are further deterred from this behaviour.

The bill proposes to amend the act, as I said, by increasing the amount of a penalty unit. The amendment will provide for the published value of a penalty unit to be increased to \$140.84. Following these amendments the provisions of the act relating to automatic indexation of fee and penalty units will continue to operate as before.

Let us not forget that these are voluntary contributions. If people are paying fines it is because they have done something that they should not have been doing. Members of our community always resent speeding fines or getting caught on mobile phones while they are driving, but there are so many other fines that people are very glad about — for example, fines for assaults. These fines need to stay in place and we need to be harsher in dealing with assaults. Whether it is littering, cruelty to animals, drink-driving — all of those sorts of areas — we need to make sure that we are sticking to our guns, and we are going to roll out these policies. We will not be deterred. If that is what it takes to get the desired outcome, we will do it. I commend the Premier and the Treasurer for rolling out these policies because it is vital that we have strong policies.

I would be delighted if no-one had to incur any fines because that would mean we were sending the right message to people. There would obviously be flow-on savings in other areas if we did not have to spend money on the collection of these fines. If people do offend, one of the punishments they may receive is a

fine, and the amendments set out in the bill will increase those fines. These changes are one part of the longstanding commitment by the government to reduce offending within our communities. The bill clarifies that the annual rate of increase for the 2012–13 financial year is 2.5 per cent. New section 11 of the act deals with transitional provisions relating to the 2004–05 financial year which are now spent. The bill repeals those provisions.

Certainly in my electorate of Murray Valley we are starting to see changes in behaviour taking place. Whether it is due to hoon laws, drink-driving penalties or other harsher penalties being rolled out, we are starting to see evidence of a change in behaviour and a feeling of being safer in the community.

As I said, no-one likes to receive speeding fines, and particularly those fines issued when people may be only a small amount over the limit. We all get frustrated that it costs us money, but if the shoe is on the other foot and it is a member of your family who has been hit by a car while someone has been texting or doing the wrong thing, speeding or drink-driving, you see things in a different light. It depends on which side of the river you are standing when you are faced with this issue.

Recently in my electorate we have witnessed the impact of road trauma and road deaths on country roads. The Labuan Road and Katamatite-Nathalia Road intersection has been heavily criticised, with people continuing to drive through give-way signs and stop signs because heavy fines have not been in place. We will start to see these penalties making a difference because people will feel they need to be careful about what they do. The hip-pocket nerve is the one that seems to get a response from people. We have had 12 accidents there since 2006 and 4 serious crashes, not to mention the near misses. I am attending community meetings and working with VicRoads to try to assist with changing these intersections from give way signs to stop signs, but despite this I still see people who fail to heed those warnings, and when they fail to heed those warnings they will be hit in the hip pocket.

In some cases what hurts the most is a fine, and for that reason I support the bill and its provision to increase the amount of a penalty unit. If a speeding fine changes the behaviour of motorists in my electorate, it will be a worthwhile step for both the Murray Valley electorate and Victoria. If it makes people think twice before offending, it is certainly a step worth taking.

In summary, the principal objective of the bill is to increase the value of a penalty unit under the Monetary Units Act 2004. The amendment fixes the value of a

penalty unit at \$140.84 from 1 July this year and clarifies that the value of a fee unit will be equal to the published value of \$12.53 again from 1 July 2012. The bill also repeals transitional provisions related to the implementation of the monetary units amendment (MUA). While the legislative fixing of the values of fee and penalty units by the bill effectively overrides the annual rate for 2012–13, it is important to clarify the annual rate in the event that the Treasurer does not set an applicable annual rate in the following financial year.

We have consulted on this bill, which we always do. It is important that the Department of Treasury and Finance consult with the Department of Justice at a senior executive level in relation to the proposed amendments. The Premier has exempted the bill from the requirement of coordination comments due to the urgency with which the proposed amendments to the MUA will need to take effect. That will enable this initiative to commence on 1 July, as I first said.

I maintain that this is voluntary spending. Those who want to break the law and commit the crimes will be paying a higher rate for that and will need to heed these warnings. We are providing plenty of education in our communities these days, and there are plenty of signs to let people know what they should or should not be doing. Being sorry after the event is not always the best way. This bill is about showing the community that we mean business and are serious. The message is clear: heed the message or pay the fine. I commend the bill to the house.

Ms HALFPENNY (Thomastown) — I rise to address the Monetary Units Amendment Bill 2012 and state, as has been said by previous opposition speakers, that the opposition will be opposing this bill because we recognise the hardships it will cause for many Victorians who are already struggling with the rising cost of living or have suddenly found that their employment is not secure and have joined the growing line of unemployed in Victoria. The bill is about revenue raising in a hopeless attempt to help the government's budgetary figures. Penalty units were set by the Treasurer in March but will now be increased again, and this legislation is required for that to be done.

This is a cynical and hypocritical exercise by a government which in opposition consistently attacked road safety programs that issued fines and penalties to those breaking the law — programs such as red light and speed camera operations that supported campaigns to reduce the death toll and injuries on our roads. They were belittled and ridiculed by the current government. Today we see legislation to increase the monetary value

of penalty units. On the one hand the government is increasing the costs of fines that are issued to Victorians, and on the other hand it is spending less and making cuts to road safety programs. As we can see, this is purely a cynical exercise to raise money without any interest in the benefits for Victorians or in keeping them safe.

The previous Labor government used the revenue raised from fines and penalties to fund education and road safety programs and to provide a holistic approach to reducing death and destruction on our roads. This government is increasing fines but cutting those programs. What does this mean? It means we have a sneaky, dishonest government that is raising penalty units and fines just to help the budget position. Penalty units and fines are completely unrelated to road safety. This is a cynical revenue-raising exercise, just like the raiding of workers compensation funds. No-one likes to pay fines or have increased fines, but there is an acceptance if the revenue raised from those fines is part of an overall strategy and will be put to some sort of good use that will benefit Victorians generally, such as improving safety on our roads. In this case that is not happening.

Residents of the Thomastown electorate would love to see the government having a proactive and concerted campaign to reduce hoon driving, for example. In the last eight months one resident and her family have twice been subjected to frightening accidents. Two cars have rammed through her front fence as a result of dangerous driving. There are things that can be done about this, such as using real-time cameras to catch hoon drivers. This is expensive, but it is something the government could be doing instead of the revenue raising it is attempting now.

During its time in opposition the coalition managed to produce only negative comments about the Monetary Units Act 2004 and vehemently opposed its introduction. With the introduction of this bill we witness a government that does not even believe its own words and is using policy set by the previous Labor government to help its budgetary position while blatantly neglecting to create a plan for Victorians and their future welfare.

In comparison, the previous Labor government recognised that government services are a necessary part of creating and maintaining a fair society for all and poured its efforts into facilitating this through careful planning — something we are yet to see this government do. Four years ago the then shadow Treasurer and many others now on the government benches snarled at automatic indexation as per the

terms of the 2004 legislation. They said that increases in automatic indexation were outrageous and went on to pretend to care about families and households who were battling to make ends meet. But just a few years from when those comments were made, this government now seeks to amend the Monetary Unit Act to rake in more money for itself. The value of the fee and penalty unit was adjusted by the Treasurer in March this year, and now just a couple of months later we are looking at it being jacked up again. Is it incompetence, or is it just a desperate action by a desperate government that cannot balance its books? I am not surprised at how quickly this government has been able to turn its back on its responsibility to the people of Victoria, as it cares only about money and not welfare.

We have heard the Treasurer and other government speakers say in relation to this bill that it is a law and order issue and that law and order has top priority. This is a far cry from what they were saying when legislation was originally introduced in 2004. We can see that the priorities of this government are quite questionable. It seems to be increasing fines and allocating funding for more prison beds than it wants to provide for hospitals, and it is looking at fining people more, even though there is no jobs plan and no plan to bring Victoria forward.

I question why this government continues to target, punish and take away from those who have the least, including by increasing fines not for the purpose of increasing awareness or trying to reduce carnage on the roads but for a purely cynical exercise in money grabbing, rather than trying to put programs into place that support campaigns to educate people about being more careful on the roads, not driving dangerously, and ensuring that we live in a safe community rather than one that worries just about money.

As previous speakers have said, this is an amendment to existing legislation. It is really just about increasing the amount of the fees and monetary units that apply. The original act of 2004 was really at the forefront of making a modern system around fines and penalties. It was about making sure that there was a consistent approach to all fines and penalties, whether for a person who parked their car in the wrong place, for a traffic offence on the road or for running through a red light. The penalty system allowed for weightings to be put on the severity of offences. This was seen as a transparent way in which all people, if they looked into it, would be able to understand why there was so much to be paid for a parking fine versus so much to be paid for a red light offence.

Again we see that this government is just tinkering around the edges of a lot of Labor legislation. It is not really looking at introducing any of its own legislation to make Victoria a more progressive and proactive state and a state that we can all be proud of, one that is moving forward well ahead of the other states. That is not what this government is about. This government is really about reaction, plotting and hypocrisy. When coalition members were in opposition they vehemently opposed pieces of legislation like this as if these bills were bringing down democracy. Now we hear government members bleating and see them puffing up their chests about how important it is to have this legislation because it is a law and order matter and we need to make sure that people in the Victoria follow and do not mess with the law.

However, this is not always the best way for things to be progressed. There also need to be education programs. People need to understand why it is that these fines are necessary and why they should not be committing such offences. That is why we also need education programs around road safety and things like that, which of course this government is not looking at doing.

Debate adjourned on motion of Mr HODGETT (Kilsyth).

Debated adjourned until later this day.

Sitting suspended 6.27 p.m. until 8.02 p.m.

APPROPRIATION (PARLIAMENT 2012/2013) BILL 2012

Second reading

Debate resumed from 1 May; motion of Mr WELLS (Treasurer).

Mr SCOTT (Preston) — It gives me pleasure to rise to speak on the Appropriation (Parliament 2012/2013) Bill 2012. Labor will not oppose this bill but we wish to express our concern about the impact of the cuts that have been made to the parliamentary budget and the consequential ability of the Parliament to hold the executive to account, which is of course a very important part of the role of the Parliament in the Westminster system.

First of all, I hope I will be joined, in spirit at least, by all members in expressing my thanks to those persons who work for the Parliament. Parliamentary democracy fundamentally resides with not just MPs but also those who work for the Parliament. That does not just include

the people who work here; it also includes the people who work in our electorate offices who are often the faces of their members of Parliament, particularly those who are ministers — and I note the minister at the table, the Attorney-General — —

An honourable member — A lot better looking faces than we have.

Mr SCOTT — Yes, as was just noted: they have a lot better looking faces than we have. It reminds me of an old saying: 'In the land of the blind, the one-eyed man is king'. That is a small hurdle for anyone to jump — to better our good looks. But quite seriously, people who work in electorate offices often tirelessly help constituents with problems. On all sides of politics they serve the community well by assisting people to access government services where they have had difficulties or with problems they are having with either the actions of the executive government or how the law operates in this state. It is important to place on the record our acknowledgement of their work.

I recently became aware of a very unfortunate incident involving an electorate officer who was injured. Often electorate officers work despite personal risk. There are a large number of people in the community who are mentally ill, and it is often electorate officers who are on the front line who deal with them on behalf of members of Parliament. So I think it is important to place on the record our gratitude to electorate officers, and not only to electorate officers but also to the people who work for the Department of Parliamentary Services, the library staff, the catering and facilities staff, the attendants, the table office and Hansard staff, the clerks and other assisting staff, those who work for the committees, and all the various staff who assist — —

Honourable members interjecting.

The ACTING SPEAKER (Ms Beattie) — Order! Could we have a little less chat in the house while the member for Preston goes through the roll call of thanks?

Mr SCOTT — All those who work in assisting the Council and the Assembly in their various roles deserve our thanks and gratitude. This is an appropriate time to do so because all of our work is dependent on the contributions they make in the various forms they take. I would just like to acknowledge that members of Parliament can be proud, truculent and difficult people to work with, and I think it is important to note the patience and forbearance that is shown by staff in the Parliament in dealing with the various concerns of

members of Parliament from across the political spectrum, because without that work the Parliament that we love so dearly and which we are so grateful to serve could not function.

There are a number of issues in the budget that I think deserve some attention — I feel like I am returning to the Public Accounts and Estimates Committee. On page 326 of budget paper 3, the output summary details the expenditure for the parliamentary departments. It is important to note that parliamentary investigatory committees have had a reduction in funding of \$200 000 from \$6.9 million to \$6.7 million. Particular issues that exist in this year's budget were in fact highlighted by the Presiding Officers when they appeared before the Public Accounts and Estimates Committee, and they relate to the duties that the Parliament's committees perform and the additional responsibilities that are being thrust upon those committees.

As members would be aware, two new committees — the Independent Broad-based Anti-corruption Commission Committee and the Accountability and Oversight Committee (AOC), which relates to freedom of information — have been created. The Presiding Officers made a submission to the budget and expenditure review committee for funding of, I think, \$1.168 million, which was not approved, and there was also a submission for funding of \$758 000 for the Council standing committee system, which was also not approved.

This is a really important issue. The parliamentary committees play a critical role. Additional parliamentary committees have been created by the actions of this government and the Parliament will be required to undertake additional duties in relation to those committees. I think it is important to understand that there will be necessary compromises made in the operation of parliamentary committees, and I would hope that all members would regard the parliamentary committee system as an important cornerstone of the democratic process within this Parliament.

The committees enable an inquisitorial process, as opposed to the more confrontational process that exists on the floor of a house like this. They allow the Parliament to ascertain important facts and insights into the operations of our community, which in turn allows for better laws to be passed. In fact in some cases they will have oversight. Both the Independent Broad-based Anti-corruption Commission Committee and the AOC committees will have important oversight functions in additional areas of government. So these are areas where the Labor Party is quite concerned that where

there has been a reduction in committee budgets compromises will have to be made, and we would be concerned to ensure that the important work the committees currently undertake and the additional responsibilities of committees are not compromised by these budget reductions.

This is particularly important because of the responsibilities that the Family and Community Development Committee has been given in relation to the inquiry into child sex abuse in religious and other institutions. I note that the evidence given at the budget estimates hearings of the Public Accounts and Estimates Committee by the Attorney-General, who is at the table tonight, was that additional resources would be provided, so this is a bit of an unusual debate in terms of how it relates to a parliamentary appropriation. The successful undertaking of that committee's work will require additional resources from executive government, and that offer was made. However, my understanding of the process is that the committee itself would seek to form a view about the requirements that they would need for that inquiry and that therefore a request would be made to government.

The concern that I would raise is that obviously that would require something beyond the debate here today. I would hope that all members would wish the committee success in undertaking that very important work about such an important issue and that resources are made available commensurate with the necessities of that committee's requirements. I would hope that all members would regard the work that will be undertaken in this financial year by that committee as being as serious a venture as any committee undertakes on behalf of the Parliament. I obviously wish that that committee will do its work in a sensitive and caring manner that gets to the heart of some very difficult issues and that the appropriate resources will be provided to that committee. As I said, we are concerned about the cuts to the budgets of all of the committees, but again I note the comments that were made relating to those matters at the Public Accounts and Estimates Committee, and I hope that those resources are forthcoming and that the committee can undertake its really important work. I would hope that all members would have a sensitive eye to the necessities of those particular issues.

There were other matters that were raised by the Presiding Officers in relation to the Parliament's budget, where they were concerned about the impact of a series of matters relating to the \$4 million of cuts that they face this year and also other issues faced by the committee. One of the matters raised was the funding of the parliamentary officer and electorate officer

enterprise bargaining agreements. Earlier I placed on the record my appreciation for the work of both the electorate officers and the staff of the parliamentary offices. However, there is an important issue that will impact on the level of expenditure, which is the industrial rights of those persons, particularly the parliamentary officers, to undertake normal industrial action.

Members may not be aware but the bargaining process is a little more complex when it comes to the Parliament. My Latin is not fantastic, but the Parliament has exclusive cognisance over its proceedings. For instance, there are some actions which could be taken in other industrial disputes which cannot be taken, for instance, on the floor of the house, and I cite the example of the Legislative Council. I note that in the Legislative Assembly the right to wear badges has been accorded to staff, but this is an important matter and I would hope that common sense would prevail and that members could exercise their normal rights under federal legislation, which there are some limits to insofar as the operations of the Parliament and the rights of the Parliament to govern its own affairs interact with the federal law relating to industrial relations. Obviously I would hope that matter will be a subject that is covered by these appropriations, but I would hope that those rights can be dealt with in a sensible manner that respects the rights of employees to lawfully conduct their industrial bargaining process in accordance with the rights that are held by other members of the community. I think that would be a sensible way forward through a fairly complex issue.

There are other issues that were highlighted by the Presiding Officers, including the funding of the regional sittings. As members would be aware, the Presiding Officers made it clear that no funds have been provided for the additional costs of the regional sittings. They are also concerned about the committee issues that I raised previously. There is also the issue of the waterproofing of the front steps. This raises some fundamental issues in this Parliament of occupational health and safety. Members would be aware, but the broader community probably less so, of the fairly parlous condition of Parliament House in many cases and the requirement to undertake works not just to prevent water leaks on the front steps — there have been a number of serious illnesses of persons who have offices down in that area and masonry has literally been falling in offices — but also there are issues relating to the stonework on the cladding of the building. Large sections of the stonework have actually fallen off, which raises occupational health and safety issues for persons who work at the Parliament or who visit the Parliament.

I would say that there is not going to be a lot of sympathy in the community for MPs, but I remind all that it is not just MPs who work here; there are persons who make their living coming to the Parliament. There are also people who visit the Parliament to experience the democratic process. All those people deserve to have a safe environment. There are issues relating to the current state of the Parliament and the requirements, which were ably explored by the Presiding Officers, to undertake remedial work. There are issues that will potentially arise in that if the work on the stonework is ceased, there will be additional costs to restart that work at a later date. Those costs will be accrued by there not being a continuous program of works, because there are specialised skills involved in that particular work that will not necessarily be available if the work is stopped. That is an important issue that was the subject of discussion in particular by the President of the Legislative Council when the Presiding Officers appeared before the Public Accounts and Estimates Committee.

As I said, the opposition is of course not opposing this legislation, but we do have significant concerns. I will return to the committee process in some detail, because the IBAC Committee and the AOC, which as I said, relates to freedom of information, are oversight committees. They will have statutory duties to perform, which are important for the operations of those particular areas. Particularly with IBAC there is always the question of who watches the watchers. A parliamentary committee has been created in part to fulfil that role. It is important to understand that without the adequate resources to perform those functions, that cannot take place.

I have been a member of a number of parliamentary committees, including the Public Accounts and Estimates Committee and the Electoral Matters Committee. There are a number of statutory functions which accrue for committees. The Public Accounts and Estimates Committee is a good example. That committee has responsibilities related to the Auditor-General that go beyond the ordinary inquiry process that is undertaken by parliamentary committees. Even the Electoral Matters Committee, although these are not statutory requirements, has developed a fairly important role in liaising with the Electoral Commissioner.

The relationship between parliamentary committees and the independent statutory office-holders, such as the Electoral Commissioner with the Electoral Matters Committee and the Auditor-General with the Public Accounts and Estimates Committee — the Ombudsman does not have a parliamentary

committee — are important additional functions. We will be concerned to ensure that with a reduced budget for parliamentary committees those functions could be carried out properly, and additionally that the two new committees, the IBAC committee and the AOC, could conduct their duties in an appropriate manner, providing oversight in those two important areas of public policy.

I made a pretty quick run-through of all the staff and various areas of staffing, but I would like to pay particular tribute to those who work in the library. Most members would know that if you go to the library and seek assistance, you could not find a more willing group of people. With very limited resources they are able to meet the needs of members in their work in participating in parliamentary debates. There really is a proactive attitude taken in providing with very limited resources compared to other parliamentary libraries a very wide range of services that serve members well.

I would also like to touch on the staff who interact with the public. There are many times when highly disturbed, often severely mentally ill individuals, who can be quite dangerous to put it very bluntly, interact with electorate officers. It is a sad truth of the role that is played. The people who have to deal with these very difficult situations are in large part the electorate officers. There are also the staff and the protective services officers of the Parliament, but electorate officers often have to meet people who have many deep problems in their lives and are often, as I said, facing quite serious mental illness. They may have very deep issues they are dealing with and they can sometimes be literally quite violent. We should realise that electorate officers often shield members of Parliament from having to deal directly with those issues, and that is a service which is often undertaken at some personal risk to the electorate officers.

I would state that the Department of Parliamentary Services has gone quite some way to improving security. I can remember what security in members of Parliament's offices was like over 10 years ago; it was, frankly, fairly rudimentary. Electorate offices were not a safe environment, particularly when dealing with such individuals. There has been a lot of good work done. But I think it is worth placing on the record the appreciation I am sure we all feel for the hard work that is done by the electorate officers of Parliament, often with very difficult individuals and, sadly, sometimes in personally dangerous situations because of the highly disturbed individuals they may have to deal with. These individuals are often as frightened as the electorate officers themselves due to the nature of their mental illness. These can be very challenging situations, and I

think it behoves all of us to realise the good work that is done on our behalf and on the community's behalf, because all of these functions allow the Parliament to operate.

As I said, I will not take up the Parliament's time. I know there are a number of bills and there are a number of people who wish to speak on this particular bill, and I would like to say that the opposition of course will not be opposing this bill. But we are concerned that the cuts to the parliamentary budget, particularly the cuts that take place over a number of years — I think it is \$4 million for the upcoming budget, \$4.1 million in 2013–14, \$4.2 million in 2014–15 and then \$4.3 million in 2015–16 — do not impact on the important functions of Parliament, particularly relating to parliamentary committees, especially with the additional responsibilities that will be held by two new committees and the important work that will be undertaken by the Family and Community Development Committee. We are concerned that those budget cuts not impact on the important role that the Parliament plays in the Westminster system in ensuring the executive is held to account.

If you really want to stretch back in history, the primacy of Parliament stretches back to the turbulent period of the 17th century of English history, and, though it is not felt potentially in the modern terms, it is the Parliament in the Westminster system that is supreme, not the executive. Parliament has a critical role to play in ensuring the accountability of the executive, and we are concerned and would hope that the cuts that have been imposed, particularly to the parliamentary committees, would not curtail that scrutiny role and the various other functions I have outlined.

On that note, I would just like to reassert that we are all, I hope, as members of Parliament very grateful to everyone who works for the Parliament and for the work they do on our behalf.

Mr SOUTHWICK (Caulfield) — It is with a sense of privilege and pleasure tonight that I stand up to speak on the Appropriation (Parliament 2012/2013) Bill 2012, and I am glad to hear that the member for Preston and the opposition are supporting the bill. I would like to congratulate the member for Preston on his contribution, particularly in acknowledging the number of fine workers and contributors to our Parliament and the parliamentary system and process. We would all agree that our jobs would not get done without the support of the people around us, and we should certainly not take that for granted or take it lightly.

But we would all agree that these are tough economic times and in tough economic times people look for leadership from their elected representatives. Our role as MPs is to show leadership, and that is why it is important to ensure that we lead by example and that what we do in this place reflects what is done in the wider community. Certainly when we are producing a budget that is tight, where every dollar is absolutely crucial, the last thing that the people of Victoria would expect us to do is to splash money around when it comes to our own house, our own system and our own processes.

I will just touch on the fact that the budget was a challenging one and there were significant factors impinging on it, including \$7.6 billion over four years of GST money which was pulled out of the budget and taken by our federal counterparts. That has meant that we need to ensure that we have a managed budget. We have said on several occasions that it is important for confidence that we deliver a budget surplus, and that is what we have done. What that means in terms of this particular bill is that when we are appropriating the people's money for the Parliament — that is, the expenditure of running the Parliament itself — we are prudent when it comes to that expenditure. There are a number of things that have been done, and I commend the Premier for showing leadership. Our salaries have been limited to a 2.5 per cent increase over the next 12 months, just as a number of other salaries in the public service have been limited. This is something we have done because we felt that if we expect others to do it, then we should do the same.

We are also reviewing salaries and allowances and arrangements right across the board to ensure that everything has an equal and fair balance, so allowances paid to the Premier, ministers and parliamentarians will be fixed at the current terms and conditions for the next 12 months, which is in line with what we are proposing in the broader budget to ensure that we are consistent in what we do. We have delivered a budget that will result in \$4 million of savings being applied to the overall budget of Parliament per year, so that is a \$4 million saving. Of course that means that we need to look at areas where we can save.

I note that in certain areas in the Parliament we have already been prudent. The member for Preston spoke of the great work that the committees do. There is no question that the committees do some terrific work. We have some 14 joint parliamentary committees. Certainly nearly all the committees that I have been in touch with have come in below their budget, so they have not spent what was allocated to them. I commend the committees for being prudent already and achieving

that saving. We need to continue to do that in the coming year, but for those committees to have demonstrated that in the past 12 years they have operated within their means and not spent all the funds that were allocated to them clearly demonstrates that the members and staff of the committees understand the process.

It is important that people outside Parliament get an understanding of the work of the committees and what they do. The committees provide a conduit between the public and the Parliament. I am sure all members will agree that to be a member of a committee and have members of the public being given the opportunity to have their say by appearing before a committee or providing a submission is special. The Education and Training Committee, which I chair, has had a number of witnesses appear before it. It is special for them to have their say. Sometimes it is a bit overwhelming for them to appear before a committee, with Hansard reporters and others present, but certainly the people who have appeared have known that they have been able to make the contribution they wanted to make in the area in which they have an interest. The committee system is an important part of the process and a responsibility that we do not take lightly. I am sure that tradition of Parliament will continue for many years.

I note in particular that one of the current committees has been given the reference to inquire into the handling of child abuse by religious and other organisations. That is an important inquiry, as the previous speaker said. The work of that committee will again enable members of the public to have their say, and that will ensure that we move forward in a very important direction to assist the most vulnerable. The committee process is an important element of the Parliament, and the committee staff ought to be commended, as they work tirelessly.

Many people contribute to this Parliament, including electorate officers. All members are supported by their electorate officers. They do not have 9-to-5 jobs; they work different hours, and when something needs to be done, they are there for us.

Ms Barker interjected.

Mr SOUTHWICK — Sometimes it is not about overtime; it is about doing the job that you are passionate about. That is why a lot of electorate officers take the job and why members of Parliament are here: they take it up to make a difference. I think members will find that most of the people who work for the Parliament do it because of a passion and because it is something that they believe in.

Turning my attention to the attendants who run this Parliament, they are passionate about what they do. I am sure that many members will have been here when school groups have been through the building. You can hear some of the attendants passionately describe the building, what it is comprised of and what goes on in this place and watch the eyes of some of the schoolchildren when they are having the parliamentary process explained to them. They are absolutely enthralled by that, and that is an important part of the job that the attendants do.

I want to briefly single out a particular attendant, Dave Robertson, who organised an Oxfam walk and managed to get a number of parliamentarians to go on the walk. The members for Ferntree Gully and Gembrook and I did a 100-kilometre walk to raise funds for Oxfam. That was something that showed just how well this place can work, when you have members of Parliament taking part in an activity to support charity. That was done outside this house and outside our normal working hours, including overnight. We had the opportunity to spend 27½ hours walking together, which was a long time. People say members of this place can talk under water. You need to talk a bit in 27½ hours to keep yourself awake, because it was a long time to walk. Such things show the passion of the people who work here. They have lives outside, and they include helping others and the community generally.

The library staff, who have been mentioned before, have an important job. Members on this side can ask for a particular brief, and a couple of minutes later opposition members can ask for something else. The library staff must be absolutely nonpartisan in their role of providing information to members of Parliament. They do it exceptionally well. Quite often they are given the shortest possible notice to research something, but they always pull through.

I want to touch briefly on this building. We see that \$3.6 million has been allocated to improve the surrounds of the building. That is very important. Members have heard about the occupational health and safety issues with the building and some of our offices, with bricks and other material falling off and stairs that are not quite right. As I said before, people see the great parts of the building that we operate in, but not many members of the public get to see the offices that we work in and the effective dungeon under the building where people work — and the odd rodent that might come for a visit in the middle of the night.

Honourable members interjecting.

Mr SOUTHWICK — I am not talking about members of the opposition, no. The hardest thing to spend money on is yourself and your own house. I note that in 2006 a forum was held to try to come up with some ideas on how to upgrade the building. Some pretty bizarre ideas came up, including putting the planned dome on the building and creating an open park in it. The ideas included establishing an amusement centre and a public garden dotted with rain-measuring sticks topped with solar collector discs. The people at the forum were saying that just spending money on finishing the original design of the Parliament would not be considered by the public important enough to do that — that is, to spend money on ourselves. They were saying that we need an excuse to spend money on the building.

It is a shame that we need an excuse to spend money on Parliament House, because, as I said earlier, every single visitor to this building is absolutely in awe of it. When I leave this building to go to my electorate, come back a few weeks later and walk into the building, it takes my breath away every time. I think about the history of the building; the people who have been here before us; the fact that the first federal Parliament sat here and did so for 27 years; that 11 prime ministers sat in this building; and that some of our federal laws, including the constitution, originated in this building. It has such a history and character that we must do whatever we can to preserve, maintain and upgrade this building. I consider that that is absolutely paramount and that we would not be spending that money on ourselves. Whatever we can put aside to invest in this building will be not for us but for the generations who will come after us. As I said, it is imperative and important to spend any money we can on upgrading and fixing this building.

As I said earlier, we are in tough economic times — and not just in Victoria. If we are compared with other states, we are in pretty good shape, but globally we are all struggling in difficult financial times. That means that we need a sensible and prudent government that watches its spending, ensures that it leads by example and that when it is spending money on procurement and appropriation for Parliament it does so wisely and sensibly. The best way to lead by example is to make sure that the government is not spending willy-nilly but that the committees, our staff and electorate allowances are all addressed sensibly. We might all need to take a bit of pain to ultimately ensure that we have good times ahead and that we set Victoria up as the place to be and the place where people want to live and enjoy this wonderful state. I commend the bill to the house.

Ms BARKER (Oakleigh) — I am pleased to rise to speak on the Appropriation (2012/2013) Parliament Bill 2012. As indicated in the explanatory memorandum, the bill provides for the ongoing operations of the Parliament. This Parliament is a busy place, and not just in terms of the support offered to all MPs when the house sits. Important support is also offered in our electorates, and the two previous speakers have rightly praised the work of our electorate officers, who do so many good things for the people they see on a daily basis.

The Parliament contains the Department of the Legislative Assembly, which is capably led by the Clerk, Ray Purdey, assisted by the Deputy Clerk, Liz Choat, the Assistant Clerk Committees, Anne Sargent, and the Assistant Clerk Procedure and Serjeant-at-Arms, Bridget Noonan. Anne and Bridget have interchanged roles in the last 12 months, and Bridget is now doing a wonderful job as Serjeant-at-Arms. As I said, that is an important part of this bill and part of the work that goes on in this Parliament.

It is probably something that is not talked about a lot, but certainly if you read the annual report of the Department of the Legislative Assembly — and I think I got to know a little bit about this work when I was Deputy Speaker — you see that a very important part of the work of this Parliament, and in particular the work of the Department of the Legislative Assembly, is the assistance and training it offers to other parliaments, especially those in the Pacific region and particularly our twin Parliament, the Tuvalu Parliament. That arrangement is made through the Commonwealth Parliamentary Association. I have witnessed that, if you like; I watched it happen.

As is noted on page 30 of the 2010–11 annual report, during that year we provided a range of assistance to Nauru, Tuvalu and even the Scottish Parliament. The Scottish Parliament is held up as one of the more modern, contemporary, forward-thinking parliaments, and I am pleased to see that the clerk to the finance committee of the Scottish Parliament actually visited this Parliament to get advice. I am sure he received very good advice.

As the member for Caulfield and others have said, the Department of the Legislative Assembly will receive less under the 2012–13 budget than it received previously. While I suppose you could say it is only a small reduction, I hope it does not reduce the department's capacity to continue its progressive work in assisting other parliaments as well as working towards our own progression to a modern

Parliament — for example, I understand that the department is now into social media and doing it very well. We need to always be conscious of our own progression and modernisation as a Parliament.

Others have talked about the Parliament House building, and I will as well. I note that, as stated in the explanatory memorandum to the bill, page 213 of budget paper 5 contains a table — I actually asked about this because I was a bit concerned about the funding that could be available to continue the upgrade and other work on this very old and historic building — which lists an appropriation figure of \$4 270 000 for the 2012–13 budget. I understand that that is to commence the work on the front steps, which is very important, because there are enormous problems with them. We all know that work has been under way on the sandstone on the outside of the building for a considerable amount of time — for many years — to ensure that the fabric of the building is renewed and to ensure the building's viability into the future.

It is always difficult to find funds for the actual building, but we need to be cautious and aware so that this important renewal work — and particularly the sandstone replacement — can continue. The funding does not appear to be there to continue that. We also have many issues regarding disability access and occupational health and safety. Recognising that it is always difficult to get those funds together, I cannot emphasise enough the importance of ensuring that we find the funds to ensure the continued renewal of this important building.

On behalf of many members of this chamber, I also want to place on the record my thanks to the staff. My thanks go to the chamber staff — I know we are supposed to call them 'tour guides' but I cannot say that — who are just fantastic and always of great assistance to us. I also thank the library staff, the garden staff, all of those who help us, such as Brian Bourke and his team — they are always around when we have a problem with our offices — and the dining room staff. My thanks also go to the Hansard staff. There has been a change of Hansard reporter in the box just now. I did ask a Hansard reporter before if they needed more money, and they said yes, so I place that — and my support for that — on the record.

I must say I have noticed a few missing faces around the place. While there are probably many who come and go in this place, I want to particularly note a couple of them. I think all of us miss very much the happy and smiley face of Shirley in the dining room. Shirley has moved on, and I miss her. She always had a smile and was very efficient. I also miss Jamie, who worked in

the dining room and who was always very helpful to me.

I was in my great electorate of Oakleigh the other day — in the great Eaton Mall, where there are some very nice cafes — when I bumped into John Lovell, who was there to catch up with a friend. John informed me that he has left IT services. I want to record my thanks to John for always being of assistance to me and my staff. He always offered good advice to me in terms of IT, which is never an easy area. We all have problems with our IT. I thank John for his many years of service to the Department of Parliamentary Services.

I was also contacted recently by Rod Espie, who told me that he has left his employment with Parliament. Rod had been with us for some years as the senior education project officer for education and community engagement. I have spoken previously about the work undertaken by Rod and Suzie Luddon in the development of educational material for schools — the books, the videos and the DVDs. They are fantastic and have been really well received in schools. They are easy to read and understand, and they talk about the work of the state Parliament, not just the very pretty building we are in.

Finally, I refer, as others have, to the budget allocation to the parliamentary investigatory committees and the reduction for 2012–13. All members are very aware of my interest in the establishment of an inquiry into clergy sexual abuse and therefore the recent reference to the Family and Community Development Committee of the Parliament by the Attorney-General. While I have been very clear in my expressions of concern that this type of inquiry is far too limited, I have also clearly indicated that this is the inquiry we have been wanting, if you like, and we must work as hard as we can to ensure that as much evidence as possible is put before and gained by this committee to start building a path to justice and an end to the covering up of crimes — and they are crimes — against children and vulnerable adults.

I note, however, that this committee has a very limited time in which to conduct its inquiry. It must report in April 2013, and we are already one month past the time the referral was given to it. We do not yet have any clear indication of how this very important inquiry will be undertaken, and most importantly, we do not have a clear indication of what resources the committee will require — not what it will be given but what it will require. I, along with many others who have been working with me for a fair period of time in regard to the call for this statutory independent inquiry, remain very concerned about the adequacy of resources that

may be made available, but we understand that the Attorney-General and the Premier have indicated that this committee can make a separate application for funding. The Attorney-General, who is at the table, nods. We are pleased about and heartened by that.

This is a very complex and detailed matter. The term ‘religious organisations’ is a very wide one. If you google those words, you will come up with thousands just in Victoria. The committee will have to initiate a very detailed investigation in just 10 to 11 months, and I can just about guarantee that there will be many hurdles placed in its way in terms of the production of documents, just in the Catholic Church alone across dioceses and religious orders. Documentation may even need to be obtained from the Vatican. In Ireland that is what had to be done. Some documentation had to be obtained from the Vatican to cross-check who knew what and how they did what they did. To find the systemic issues you need the documentation. I wish the committee a lot of luck. I am sure it will consider very carefully the huge amount of resources it will need and put that case up for funding separate to the parliamentary appropriation bill.

Looking at the types of things that will be required, such as forensic audits of documentation, just in the Melbourne process alone there are some 350 cases that are known about. They have been dealt with through a so-called independent process. That documentation must be obtained. The committee must find out why and how the decision was made that that victim could then be sent to a so-called compensation panel. How was the compensation determined? What are the restrictions placed on that person gaining some compensation? All of those documents need to be examined forensically to look at how that compensation process was undertaken. Just getting those files for proper examination and tests will be a test in itself.

There are a number of other issues the committee will need to determine in terms of its resources. The member for Caulfield said in relation to other committees that it is sometimes very difficult for people to turn up to a committee and give evidence. That is correct; it is. Sometimes people get a bit nervous about what they are saying. Imagine somebody turning up to the committee who has been sexually abused by a member of a religious organisation and may have never told their story before. It would not be just difficult; it would be severely traumatic. Therefore I would ask members of the committee to also consider resources they may need in terms of how they might — not themselves offer counselling, although I suspect that some of them may also need counselling themselves —

be able to adequately and quickly refer such a person to a counselling service.

All of those sorts of things need to be considered in terms of the resourcing and financing that the committee will need. How will people travel to hearings? What support will they get when they get there? All of these things need to be very carefully considered. As I said, we are heartened by the fact that the Attorney-General has indicated that outside of the parliamentary appropriation bill this committee will be financed and resourced to undertake this inquiry.

I will conclude by saying that I have had and continue to have a great deal of advice and assistance given to me by Colm O’Gorman in Ireland, who wrote a book. He made it sound very simple, but it is not simple. In his book *Beyond Belief*, which is the story of the boy who sued the Pope, he said when he was taking a case against the church:

I want the truth. It’s that simple. I want to know what they knew, when they knew it and what they did or didn’t do about ... abusing me and other kids. They won’t tell me, so I want to make them tell everyone. I want this exposed and dealt with.

So do I and so do many other people. Good luck!

Mr CRISP (Mildura) — It is with pleasure that I rise to speak on the Appropriation (Parliament 2012/2013) Bill 2012. The purpose of the bill is to make provision for the appropriation of certain sums out of the Consolidated Fund for Parliament in respect of the financial year 2012–13. I support what members before me have said. This is an evening of reflection on those who support us and the environment we work in.

I think we probably need to state thank yous right up-front. The Department of Parliamentary Services provides behind-the-scenes services. These services include those provided by the staff in the library, IT, finance, catering, human resources, buildings, grounds and maintenance. There are also products in the public domain such as educational resources and *Hansard*, which are so vital to the running of our Parliament. There are also people in Parliament, such as our friends the clerks who guide us, the attendants who look after us and all of those people who ensure the running of services in the building. I will talk a little bit about them later. I notice our maintenance staff are here in the building until we leave — this tells us this place is precarious in some aspects.

I will talk about this marvellous building. I quote from the Treasurer’s second-reading speech. It states:

The bill provides appropriation authority for payments from the Consolidated Fund to the Parliament in respect of the 2012–13 financial year including ongoing liabilities incurred by the Parliament such as employee entitlements that may be realised in the future.

As the Treasurer noted, the total appropriation sought in the bill is \$101 175 000 for the year. That is the cost, one could say, of democracy. The democratic system we live under is wonderful. It affords a lot of protections for our community and society, but there is a cost to running it.

I note a number of issues have been raised. The maintenance of this building is an ongoing challenge. From my recollection, the stonemasons have been here as long as I have, and they will be here after I am gone. I recall asking when visiting Queensland many years ago where the Queensland Parliament was, and I was instructed to just follow the stonemasons. Their presence is something not peculiar to this Parliament. The building has been a challenge. There is a major refurbishment of the building under way. The figure involved in the refurbishment is around \$3.6 million. I will talk a little bit more about that later.

I need to put a number of things on the record about this year’s parliamentary budget. Our budget for 2012–13 has been particularly challenging. It has really challenged the government’s capacity to maintain a strong financial position, as our GST take, stamp duty revenue and land transfer revenue have been reduced by \$7.6 billion over the four years of the forward estimates. Unfortunately the global financial crisis appears to have caught up with our revenues.

However, there are decisions that will impact on Parliament and parliamentarians. They are about the legislative nexus between the salaries of commonwealth parliamentarians and those of Victorian parliamentarians, which has been severed. Parliamentary and ministerial salaries will be limited to a 2.5 per cent rise in the next 12 months. A review will be conducted of the salaries, allowances and other arrangements of parliamentarians. Allowances paid to the Premier, ministers and parliamentarians will be fixed at the level of the current terms and conditions for the next 12 months. Savings of \$4 million a year will be applied to the overall operating budget of the departments of the Parliament.

However, the budget demonstrates that there is a commitment to the continuation of the restoration of this great landmark. There is a \$3.6 million parliamentary precinct program. These funds will enable the continuation of the restoration. We have heard some talk about the front steps and works that are

required there. I also note there has been a bit of work done, but alas when I walked past one of the offices during some heavy rain the other day I noticed that a leak has proved to be quite a difficult problem. I can see why major works will be required. However, I note that in the last few months there have been some new office works undertaken here to allow for the relocation of staff members from those offices. I congratulate the department on that.

I also need to mention at this stage the investigatory committees. They conduct investigations and make recommendations about topics that are particular to Parliament. Some committees have ongoing functions to scrutinise legislation and finances; others conduct inquiries into subject matters. The key feature is they take the evidence from the public and expert witnesses and submit reports to the Parliament. As other members have noted, we have two extra committees in this Parliament that need to be funded. On that matter I comment that we have to cut our cloth to suit our budget. I think everybody will be restrained in order to do that.

I will now turn briefly to the issue of the building. The waterproofing of the dungeons is no doubt going to be a major project as renovations continue. There is so much history here in this building. But I also note that although we have this marvellous facility, some of the office space — and we found this in the dungeons — is a bit wanting. I am appreciative of all the work that has been done, and I know the work will continue to take place. I know this is a difficult year. Members and everybody else are cutting their cloth to a difficult budget. The restraint that we are asking the community to exercise starts at home. We are leading by showing that. I thank all the various staff members who contribute to democracy by supporting this Parliament. I wish the bill a speedy passage.

Mr BROOKS (Bundoora) — I am very pleased to join the debate on the Appropriation (Parliament 2012/2013) Bill 2012. I am pleased that the leader of my parliamentary party has come into the chamber specifically to listen to my contribution on this important bill.

This appropriation bill is about the funding of the Parliament. I eagerly put my name down on the very large list of Labor MPs who want to speak on the Appropriation (2012/2013) Bill 2012. We have all got a lot to say on that particular bill, but I will probably have to probably wait until tomorrow or next week to have my say on it. In terms of the context of my contribution on this bill, there is no doubt that the priority of members on this side of the house relates to services for

Victorians: hospitals, schools and making sure people have jobs. However, there are important aspects of the running of the Parliament that are worth mentioning. In particular there are concerns about the amounts that have been provided to the various parliamentary departments in this appropriation. The Legislative Council is receiving less money this year than last year; it is down to \$2 861 million. The amount for the Legislative Assembly is also down, as is that for parliamentary investigatory committees, which I will come back to. The amount for the Department of Parliamentary Services is down as well, and that will lead to an impact, as outlined at the recent Public Accounts and Estimates Committee hearings, involving serious issues affecting both this building and the functioning of parliamentary democracy in our state.

I want to mention in particular some of the issues that were raised at the Public Accounts and Estimates Committee hearings not by members of the opposition but by the Presiding Officers themselves. In particular I refer to issues such as the waterproofing of this building. This building is a historic building, one that around 200 000 people a year visit. It is an important part of our history. There are always many schoolkids coming through here; I had a group of kids from Bundoora Primary School come through recently. They were thrilled to come through both the chambers, through the library — —

An honourable member interjected.

Mr BROOKS — No, they were not here during question time. They probably would have marvelled at some of the rulings handed down during question time if they had been. It is important that when people come into the building they both see it in its historical context and know that it is being protected by the current government. Given the reduced funding, the Presiding Officers have raised concerns about the ability to adequately waterproof this building, to protect it and — —

An honourable member interjected.

Mr BROOKS — That's right. We do not want leaks coming from Parliament! Also there is the serious issue raised by the Presiding Officers about chunks of stonework falling off the outside of the building. They tabled a photograph of large chunks of stone that had fallen off the building. I would hate to think that one of the schoolkids who come in from areas around Victoria to see the Parliament could be hit by one of those chunks of stone. The Presiding Officers themselves raised some serious safety issues around the works on

this building, and it is important that those works to preserve the building and make it safe continue.

Mr Andrews interjected.

Mr BROOKS — That's right. We need someone to do a runner to the hardware store, come back in their parliamentary car and provide the hardware.

The other issue I want to raise is in relation to committee funding. Despite the press releases that have come from the government in relation to a couple of committees in particular — my favourite was, 'Coalition government delivers freedom of information commissioner', with a little 'Policy implemented' stamp on it — —

An honourable member interjected.

Mr BROOKS — Yes, the red stamp; the red brand. We had the announcement that the government had delivered on its commitment in relation to a freedom of information commissioner, even though it was watering down freedom of information laws. The government also said it was going to set up an oversight committee. The same goes for the Independent Broad-based Anti-corruption Commission legislation; there was a heralding of a new parliamentary committee to oversight that body. However, there is no funding for those committees in this budget.

That leads me to make the point that either the government is not intending to have those bodies operational in the next financial year, meaning they will not require the funds, or the government is expecting them to do the job with no money. That would be an important matter for the minister to respond to in summing up the debate on this bill, and I am sure he will respond to the comments I have made.

The other matter I want to raise relates to the resourcing of the Family and Community Development Committee's important reference into alleged child abuse in religious and non-religious organisations. I understand that the Attorney-General has made a commitment that that committee will be appropriately resourced, and I will wait with anticipation to see that happen. We will hold the government to account on that commitment. This is a serious issue. The comments of the member for Oakleigh displayed a great deal of dignity and gave the government the opportunity to come good on that commitment. This side of the house will be watching the government very carefully on that matter and making sure it delivers on that promise.

In closing, I would like to thank all of the fantastic parliamentary staff who cooperate with members of

Parliament and make our jobs so much easier. I mentioned before the tour groups and the kids who come through and get great tours from the attendants. There are also the people in the library who help with research and other matters; the Hansard staff, who have to work long hours and always make us sound a lot better than we probably did; the properties unit; the accounts people; the dining room people; the grounds and building staff; and the fantastic people we work with on our parliamentary committees who provide great assistance to us in carrying out and discharging our duties to the people of Victoria.

I am concerned about a number of aspects of this bill and the reductions in funding. We will wait to see how the government responds to those matters, and we will hold it to account.

Mr McCURDY (Murray Valley) — I am also delighted to rise to speak on the Appropriation (Parliament 2012/2013) Bill 2012 for the Parliament's appropriation for the coming 12 months. This bill provides the authority for payments from the Consolidated Fund to the Parliament for the 2012–13 financial year. Schedule 1 of the bill outlines the relevant figures relating to the appropriation and the running of Parliament, and I will discuss this further as I go through the bill. It is also worth noting that this is the legislative instrument that allows for the ongoing funding of the Parliament. There are also special appropriations which do not necessarily expire or lapse annually as this one does.

This bill contains the usual provisions relating to unapplied appropriations, and the Financial Management Act 1994 comes into play with respect to those matters. The bill provides funding for both the Legislative Assembly — this place — and obviously the other place as well. As other members have mentioned, the bill provides the funding for the joint parliamentary investigatory committees, for the whole operation of the Department of Parliamentary Services and for the Auditor-General as well. In terms of operations, this place and, I believe with my limited knowledge, the other place, work very well.

Regarding the joint investigatory committees, I note the budget to run these has been reduced. When you consider the costs represented by the consumer price index in all areas of our community, a reduction against last year's figure is certainly a significant reduction. As a member of the Drugs and Crime Prevention Committee, I understand firsthand the enormous work that these bipartisan committees perform, the benefits that we agree upon and the outcomes that we come to. Difficult decisions need to be made, and I am

comfortable that all committees will work within these restraints. I believe the proposed \$6.678 million should be made available to the committees; they provide extraordinary value in terms of the contribution they make to the legislative process and to the workings of Parliament. As committee reports come through I often take the opportunity to read them and speak on them in the chamber, as I have today. The committees are a vital part of the many roles that Parliament plays.

Another area being funded is the Department of Parliamentary Services. That funding provides for a whole range of things, including our private staff and electorate offices. As years go by our communication needs change, both within our electorates and externally, and we are required to be more efficient and more accountable and to work within tighter time frames than ever before. The Department of Parliamentary Services provides a whole range of services to support the operations of members in their electorates and in the wider community. The people in Parliamentary Services do an extraordinary job when you consider that they have to deal with the requirements of more than 120 members. The network of electorate offices right across the state is a large-scale operation in anyone's terms, but transparency and connecting with constituents is a vital part of a successful democratic system.

The final item in the schedule is the appropriation for the office of the Victorian Auditor-General, which is very important to not only the Parliament but also the community of Victoria in general. The office has a history basically as long as the history of the Parliament. It has progressed from having a purely financial audit function, ensuring that money allocated has been spent correctly and as it was intended to be spent, to also having a performance audit function. It does very useful work in informing the Parliament and the public about the performance of both the budget sector agencies and outer agencies, which now include local government.

The Parliament is the centrepiece of democracy in Victoria. It is imperative that we have a system supported by bureaucrats that can provide for the best democracy that can be realised in this state. This parliamentary precinct, as members of Parliament know, is over 150 years old.

Honourable members interjecting.

Mr McCURDY — That might be news to some members.

Mr Andrews — What is the purpose of the bill? Does it concern Murray Valley?

Mr McCURDY — The purpose of this bill is to provide resources and money to make sure that this system works properly. But now that you mention Murray Valley, I will say — —

Honourable members interjecting.

Mr McCURDY — That is a prime example of democracy at work.

We need to ensure that Parliament and its surrounds are well respected and maintained. We heard the member for Bundoora say that the building is beginning to fall down and part of the stonemasonry is starting to fall out of place. Maintenance is certainly high on the agenda. I note that the government is allocating \$3.6 million to ensure that the parliamentary precinct program continues. These funds will enable the continuation of stone restoration works and will address the ongoing maintenance needs of the building. This building belongs to everyone who frequents it. It is not just for us; it is for all Victorians. I am grateful to the staff of the parliamentary precinct: to those who work in various roles in both the Legislative Assembly and the Legislative Council; to those who work in the parliamentary dining room, the library, Hansard and the gardens; and to those performing maintenance roles. They all do an excellent job, and I thank them for the work they do. It is important that this bill is passed so that they can continue their fine work.

Many constituents around the state contact their members of Parliament to deal with a range of issues. Most MPs are not in their offices on a day-to-day basis to deal with all those issues and concerns, whether they are contacted by phone or by email. I believe this is a very important part of our system, and I commend the bill to the house.

Debate adjourned on motion of Mr HODGETT (Kilsyth).

Debate adjourned until later this day.

PARLIAMENTARY SALARIES AND SUPERANNUATION AMENDMENT (SALARY RESTRAINT) BILL 2012

Second reading

Debate resumed from 2 May; motion of Ms ASHER (Minister for Innovation, Services and Small Business).

Mr PALLAS (Tarneit) — I rise to speak on the Parliamentary Salaries and Superannuation Amendment (Salary Restraint) Bill 2012. My contribution to this bill will be brief. The state opposition does not oppose the bill. However, in indicating that position let me be clear that it does not come out of a sense of acceptance that this bill reflects, as is stated in the second-reading speech, the government's commitment to responsible fiscal management. Rather, this bill is about politicians awarding pay increases to politicians, and in those circumstances, recognising that harsh reality, in the absence of any alternative measure or mechanism or for that matter justification, members of Parliament should not afford to themselves wage increases higher than the wage outcomes being imposed on the Victorian public sector.

Those outcomes are the result of a mandated and, might I say, inflexible state government wages policy. We could argue about whether 2.5 per cent reflects the expectation of the community — I do not believe for one moment that it does — or indeed the outcome of wage bargains struck to date, but quite frankly we on this side of the house would prefer to spend this Parliament's time debating matters of more pressing concern to the Victorian public.

The opposition supports the proposition stated in the second-reading speech:

The Victorian government does not believe that the increase given to federal parliamentarians should flow on to Victorian parliamentary salaries in the current economic circumstances.

The government believes that the proper course would be for members of the Victorian Parliament to receive an increase in line with the public sector wages policy, and for a new mechanism to be established for future adjustments.

Let us hope this is the last time this Parliament has to indulge itself in talking about the isolated level of wage increases politicians intend awarding to themselves. Using legislation to set wages on a regular basis not only consumes the time of this Parliament but is also ultimately an act of self-absorption and introspection, when the community expects members of this place to

direct their energies and efforts beyond our own fundamental concerns.

I acknowledge that this is not the first time and neither is this government the first government to propose to deal with politicians' pay in this manner. Nevertheless it is an unsustainable mechanism that should not reside within our control. No other section of the community indulges itself with mechanisms managed by itself to remunerate itself. The opposition supports the concept of an independent review to provide the government with options for transparent and accountable governance arrangements.

The wages of members of this place are in an uncertain situation following the findings of the initial report of the Remuneration Tribunal concerning members of Parliament dated December 2011, which stated that any federal linkage should be severed. Consequently, and in the absence of any alternative independent mechanism or arrangement, salary adjustments of 2.5 per cent would seem the only reasonable and appropriate course available to this place. On that basis the opposition does not oppose this bill and hopes never to have to see the Parliament's time devoted to one-off, ad hoc wage adjustment legislation in the future.

Mrs FYFFE (Evelyn) — I am pleased to rise to speak on the Parliamentary Salaries and Superannuation (Salary Restraint) Bill 2012. This bill will limit pay rises for all state MPs to 2.5 per cent for 2012–13. This salary restraint measure demonstrates the government's commitment to responsible financial management and is in line with the government's pay policy. As members of Parliament we are trusted to bring in laws which are fair. In dealing with our own conditions and pay we have to be seen not to breach that trust, especially given the current pressures on the state budget.

The majority of those who come into this place to do what we are doing do so for reasons other than the remuneration it attracts. Honourable members will know that for many years, by law, the salaries of Victorian MPs have been linked to the salary of a federal member of the House of Representatives, minus a monetary amount. If this Parliament did not act, that increase would by force of law flow on to Victorian MPs, which would see a very significant salary increase — over 30 per cent. This would be completely out of step with current public sector wage restraint in Victoria. By introducing this bill the Baillieu government is taking action to ensure that Victorian MPs receive an increase in line with public sector wages policy.

In addition, as was outlined in the second-reading speech, a new mechanism will be established for future adjustments following an independent review to assess alternative methods for determining the salaries and allowances of Victorian MPs. I personally support this. Any change to our pay and conditions should be done at arm's length from the Parliament. I will be a little bit tongue in cheek and say that those responsible may be more generous than the Treasurer is being at the moment. Other states have evolved or are evolving their own methods of dealing with parliamentary salaries and conditions, and I trust that the independent review will take these into consideration.

It is always invidious for anybody to be involved in making a decision about their own remuneration. Historically members of Parliament have not always been paid. Prior to 1870 only ministers and office-holders were provided with a salary. This in effect meant that members had to be wealthy enough to support themselves before seeking election to Parliament. In 1870 the Victorian Parliament provided for the reimbursing of members in relation to their expenses in attending Parliament. In fact a salary for members of the Victorian Parliament was first passed as a temporary measure and later became permanent. The act provided for a payment of £300 per annum to those who did not already receive a salary, which would equate to approximately \$39 000 in 2011 terms. The thrust of those debates and that decision was that members of Parliament would be provided with remuneration to enable people from all walks of life to take up the role of member of Parliament rather than it being practically restricted to those with independent means who were able to attend the Parliament without remuneration. At that time the proposal to provide for remuneration of members of Parliament was seen as pro-democratic and pro the broadening of representation.

It was quite interesting when I was researching this bill to discover that Sir Henry Parkes, who has been described as the father of Federation and the grand old man of Australian politics, who served five times as Prime Minister and had a long and distinguished political career, to his own financial detriment was never paid. He suffered a lot of problems over the years because he did not receive a salary. He was a man who when he came to this country was described as uneducated and unlearned, yet he went on to develop and to command a presence, so we have come a long way.

We understand that when we see that now anyone who wishes to can aspire to become a member of Parliament, and with the salary and conditions that

apply can actually afford to devote their working life to being a member of this Parliament or any other Parliament in the country. I am always very much aware of the privilege it is to be here and that someone such as me could come into this place after arriving here as a £10 Pom all those years ago and be able to stand and be elected as a member of Parliament — —

An honourable member interjected.

Mrs FYFFE — The best 10 quid I ever spent! It is a privilege to come here as a member of Parliament to represent the community I love and do what I thoroughly enjoy.

The relevant regulations were due to expire in January 2013 under the 10-year rule relating to subordinate legislation. That expiry will now be delayed until the independent review reports and the Parliament has put in place a new formula for the future. Most states have adopted the same, or similar, percentage increase as this bill sets out. One state has decided to link MPs' salaries to an equivalent level in the state public service. Options for setting the salary into the future are what should be properly examined by the independent reviewer, who can provide objective advice.

Victoria is facing a range of economic pressures. We are affected by global trading changes, especially with some of our major trading partners. Our economy is also affected by the cessation of the national partnership payments from the commonwealth and by what, by any measure, is an inequitable share of the GST cake. It affects the way the budget is run and the way we look at pay increases for all those employed in the public service and all the various roles. It is important that we are seen to have the same restraint on our salaries as we expect in relation to the salaries of others who work for the public and serve in Victoria.

It is never easy for a government to have to make these decisions. The argy-bargy that happens outside in the general public service with the public service union is not something that happens in here, because I think we are very conscious of the fact that we stand here as an example, and for us to argue that we should have more than 2.5 per cent at this time would be wrong. It would be seen as going completely against what we stand here and vote for on our budget deliberations. I support the bill as an appropriate measure. It is consistent with the government's public sector wages approach and community expectations, and I commend the bill to the house.

Mr MORRIS (Mornington) — It is a pleasure to rise to support the Parliamentary Salaries and

Superannuation Amendment (Salary Restraint) Bill 2012. I was pleased to have heard that it will be supported by the opposition and therefore by all members. It is a fairly straightforward bill of only four clauses, but I do not think there is any doubt that it will have a significant impact. Clause 3, being the main clause, will have an impact on the way we are remunerated. It will clearly have a significant impact on us as members of Parliament, but it is appropriate that it will have an impact because it is important to set an example to the community and the public sector, particularly in view of the public sector pay arrangements that have been put in place.

We are currently part way through the debate on the appropriation bills, and members are certainly aware of the circumstances, in an economic sense, in which we and the state find ourselves. There are significant external pressures on the state economy. We have a situation where we have falling revenue, both our own source revenues as well as revenues from the commonwealth through the GST; falling income, insofar as the GST is concerned, reflecting a slowing of the economy; and of course the impact of changes to the manner in which it is apportioned as well. There are significant challenges on the revenue side of the budget. Any responsible government under these difficult circumstances would find it necessary to make these difficult decisions.

Members are aware that a number of measures have been introduced to bring expenditure into line with revenue. One of the important initiatives pursued by the government has been the adoption of a standard and the entirely reasonable starting point of 2.5 per cent for the enterprise negotiations that are occurring across the public sector. Given the necessity for this measure, 2.5 per cent provides a slight premium on the CPI figure of 0.25 of 1 per cent. The projected rise of CPI over the next four years contained in the budget papers is 2.5 per cent each year for the period of the forward estimates. My reference is budget paper 2, page 14, which contains the economic projections for the state as a whole, including the other standard measures: gross state product; employment; CPI; CPI adjusted for the carbon tax for the first time; the wage price index; and population.

As most members are aware, by law salaries of Victorian members of Parliament, as is the case with members in a number of other jurisdictions around the country, are linked, and have been for many years, to the salaries of members of the House of Representatives. By my recollection the original differential was something like \$1000 — probably

many years ago, when \$1000 was worth, in real terms, considerably more than it is now.

Dr Napthine — When I started it was \$500, the differential.

Mr MORRIS — The Minister for Ports suggests \$500. Even so, I am sure it was worth considerably more than \$500 now. The current differential stands at \$5733. I was interested that in her contribution the Deputy Speaker was reflecting on the fact that in days gone by members were not paid, and certainly the advent of paid parliamentarians has made the pursuit of this vocation accessible to all. That is a good thing. But I am reminded that it is such a relatively recent innovation — I am not sure what the situation was in Australia — that in the United Kingdom up until less than 100 years ago if you were appointed to office as an undersecretary or a minister and had not previously held office, your seat had to be vacated and fought all over again as a by-election because it was an office of profit under the Crown. Thankfully we have moved on a little bit with arrangements since then.

Members are also aware that the salaries and conditions of members of the commonwealth Parliament were renewed by the commonwealth Remuneration Tribunal last year; I think the report was delivered in November or December last year. The review recommended, and the Parliament and the government accepted, that a substantial increase in salary was warranted. The suggested changes were subsequently enacted by the federal Parliament. If this Parliament were not to take action, the rise would flow through and see an increase in excess of 30 per cent in the salaries of members of this place and members of the other place.

In the absence of any other factors which might impact or have a bearing on that, it would clearly not be appropriate to have a wage rise of more than 30 per cent flow through to members. In my view a rise of such magnitude would probably not be appropriate under any circumstances — as I say, in the absence of any other factors that might have a bearing on it — but certainly under the current circumstances it would be entirely inappropriate, particularly as others in the public sector are required to comply with public sector wages policy.

This is a measure that I certainly support, my colleagues support and I note the support of the members on the other side as well, and clearly the bill will succeed in its passage through this house. I also note that the allowances paid under regulation, under the subordinate legislation, which I believe would

normally have sunsetted in January of next year — certainly in 2013 — will also be extended for a period.

In the second-reading speech the minister flagged that it was in her view appropriate to consider a mechanism under which the remuneration for MPs might be determined, and I also note the member for Tarneit's comments in that respect. The recent decisions that I referred to are clearly based on the specific circumstances of members of the House of Representatives and senators. It is clearly not appropriate, given that change of focus, to continue to base the salaries of Victorian members on determinations of the Remuneration Tribunal.

I support the intention of the government, which is outlined in the minister's second-reading speech, to establish an independent review of the remuneration of members of both houses. A number of other jurisdictions have either already addressed the issue or indeed have bills before them at the current time. However, I believe it is appropriate that a person or organisation quite separate and independent from the Parliament should examine the circumstances and provide objective advice and ultimately perhaps an objective determination in terms of remuneration.

We are in difficult times. The government has set in place what I think is an appropriate public sector wages policy. This bill makes sure that the rules that are applied to others are the same rules that apply to members of this place and the other place. I think that approach is entirely consistent with the circumstances, and I commend the bill to the house.

Debate adjourned on motion of Mr HODGETT (Kilsyth).

Debate adjourned until later this day.

APPROPRIATION (2012/2013) BILL 2012

Second reading

Debate resumed from 22 May; motion of Mr WELLS (Treasurer).

Mr DELAHUNTY (Minister for Sport and Recreation) — I was on my feet yesterday in relation to this Appropriation (2012/2013) Bill 2012, which is known as the budget. I was highlighting the fact that this budget is shaped by the economic challenges of the present. We know there are many challenges: they are real and they are substantial. It is all about rebuilding our state's finances, and we are securing the future of Victoria.

I was just about to talk about the fact that the member speaking before me yesterday was the member for Albert Park. He spoke about the State Athletics Centre at Lakeside Stadium. That is another one of the Labor bungs that the previous government left us with. It was underfunded, it was a real mess and we had to find another \$15 million just to finish the project. It was supposed to cost \$65 million, but the previous government had included only \$50 million for it in the budget, so again this was another black hole for which we had to find money. That \$15 million could have built two small schools in my electorate. We have many challenges in education, health and other areas, but again it just shows you how Labor can fritter away or burn money.

This is the second budget we have delivered as a government. Importantly our first budget was the first budget in 11 years that was delivered on budget — in other words, we were delivering to our budget. If we had continued the Labor settings that we inherited we would have had a recurrent budget deficit of \$4 billion. Again we can see that Labor squandered money, and we know that it cannot manage money.

I want to talk quickly about a couple of things, firstly from my electorate. Agriculture has a big bearing on the economic and employment fortunes of my area. This budget injects another \$61 million into a new agriculture and food industry plan. This is about maximising the opportunities for our farmers, particularly with hopefully improving prices and also favourable climatic conditions. Last week, on Wednesday, 16 May, I went to a breakfast where the Minister for Agriculture and Food Security was a guest speaker. He highlighted the importance of agriculture. We know that Victoria accounts for 28 per cent of Australia's food and fibre exports from only 3 per cent of the country's arable land base. The food and fibre sector employs about 142 000 Victorians and accounts for one in six jobs in rural and regional Victoria. As I said, in my electorate of Lowan it has a big bearing on our opportunities.

The minister last week also announced, on top of the \$61 million from the budget, another \$3.4 million to be invested in research and development in the red meat industry and to establish a new red meat innovation centre at Hamilton. Red meat was one of Victoria's major agricultural exports in the last year, generating \$1.6 billion, so it is very important, particularly to the south-western area of my electorate. There is also money going into research for the grain industry in Horsham. In both areas of my electorate we have dollars coming from this budget, and I thank the

Minister for Agriculture and Food Security for the work he is doing there.

But this budget has more important things for the Lowan electorate. We are finally getting new rolling stock for our rural and regional railway network. We are putting another \$172 million into regional rail maintenance, and that is critically important to continue the work that has been done in this area. Forty-two million dollars will help construct further duplication of the Western Highway. Again we are doing more, particularly in the transport sector, which has been crying out for this for many years.

There is support for businesses. WorkCover premiums will be reduced by an average of 3 per cent from 1 July. This will improve Victoria's competitive position and particularly help create jobs here in Victoria — —

Mr Holding interjected.

Mr DELAHUNTY — The member for Lyndhurst wants to know what the score is between New South Wales and Queensland. I can say that just before I came in here Queensland was 12, New South Wales 10, and that was just after half-time. I was down there for dinner, and it was a packed house. It is good to see that we are bringing a State of Origin match to Victoria.

Going back to the budget and its impact on the Lowan electorate, we are doing more work for not only business but also families. There are new measures to protect the most vulnerable of Victorians. We are meeting community needs in health, education and community safety. We have put aside \$336 million in the budget for child protection services. I know some of the workers from the Department of Human Services, and I think they do a fantastic job under very difficult circumstances. They will be getting more support from the coalition government in this budget. The Minister for Children and Early Childhood Development has also announced a new capital funding round for early childhood services, so we are doing some more work in relation to early childhood services, and that will be welcomed in my electorate, particularly in places like Casterton.

I have to say, and the people of my electorate would know, that I am disappointed there was no funding for three schools in the Lowan electorate: Horsham College, Bainbridge College in Hamilton and Dimboola Memorial Secondary College. I have 52 schools in my electorate, and I compliment the Minister for Education on visiting my electorate and many of its schools. It was the first time in 11 years that we had a Minister for Education visit Horsham College. Despite all the

problems the college has had, we did not have a minister visit that school during that period. The Minister for Education has visited, and again I commend him for the work he has done in that area.

We also know the previous government frittered away \$750 million on the north–south pipeline.

An honourable member — Frittered away?

Mr DELAHUNTY — Frittered away. The reality is that the Labor government said it would not build it and would not take water from north of the Great Dividing Range, but straight after the election it built it. It built it and wasted \$750 million.

Mr Holding interjected.

Mr DELAHUNTY — That was a good one! The reality is, as the member for Lyndhurst knows, that \$750 million was wasted. We delivered over \$7 million for the special school — which we promised and delivered in the first budget of this coalition government — for which the community was crying out for many years. The reality is that with the \$750 million that was wasted on the north–south pipeline we could have built another 10 schools like the special school in Horsham. With our first budget we delivered the special school. We know the desal plant is costing nearly \$2 million a day — —

Dr Sykes — What would that buy?

Mr DELAHUNTY — What would that buy? That is a good question from the member for Benalla. Every week we could have built a large school. Every week we lose \$14 million that could have been used to build a large school.

I will just finish off by talking about the Lowan electorate. I am very proud to represent that area. We have done reasonably well out of the budget in difficult circumstances, and I commend the ministers on the work they are doing in delivering on those projects. I will go now to my portfolio of veterans' affairs. We have delivered \$22.5 million for the galleries of remembrance at the Shrine of Remembrance, which have been talked about for many years. As we head towards the centenary of Anzac, with celebrations starting in 2014, we will deliver and build the galleries of remembrance, which will mean a new gallery, education and exhibition space and an underground area.

We have also delivered \$8.9 million for the Anzac centenary strategy. In fact today I met with David McLachlan, chair of the Returned and Services League,

Chris Spence, chair of the shrine, and retired Major-General Peter Haddad, chair of the Victorian Veterans Council, to talk about a strategy for the Anzac centenary. As we know, the Anzac centenary will highlight Anzac Day in 2015. That is when we will have completed the galleries of remembrance.

In the last couple of minutes I have I want to talk about my sport and recreation budget. This budget includes a range of new strategic investments. I can see the shadow Minister for Sport and Recreation is here. I will give him some more information. He does not know how to read the budget. I think we need to teach him how to read the budget. This budget builds on the extensive new initiatives that were announced in last year's budget. My focus is to work as part of a team in government to implement key priorities in sport and recreation. We want to see active and healthy communities. We want facilities for active communities. We want to make sure that we have major sporting infrastructure projects. We want sporting events for Victoria, and we particularly want to encourage Victorians to reach their potential.

Initiatives in this year's budget include \$2.4 million over two years under the Significant Sporting Events program. It is a great program that delivers a lot of events in rural and regional Victoria and also here in Melbourne. You can look on the website; we have supported about 70 sporting events in the last 12 months. We have \$1.4 million to extend the Strengthening the World Game program. I made 10 announcements in the last week about the support for soccer here in Victoria, which is growing at an enormous rate and getting enormous support from this government. Even Football Federation Victoria has commended the coalition government for its support for soccer. We have also put \$5.5 million towards the commencement of the design process and to inform the business case for stage 2 works at Melbourne Park. We want to ensure that the Australian Open stays in Victoria and in Melbourne until 2036, and the money we have put aside will make sure that that happens. We have also put into the budget \$3.5 million for capital and operating requirements for the State Sport Centres Trust. There are about 32 sports that operate out of the Melbourne Sports and Aquatic Centre, Lakeside Stadium and the State Netball Hockey Centre. These are fantastic facilities for Victorians and fantastic facilities for both grassroots and elite sportspeople.

If we had not had Labor's legacy, we could have done a lot more. This is a great budget for the times, but there was \$2 billion worth of budget overruns from the Labor government, and we are still counting a lot of others. I congratulate the Treasurer. I congratulate the leadership

team. I congratulate my cabinet colleagues and our staff, who have done a fantastic job in putting together this budget in difficult circumstances. All the Liberal-Nationals team are really behind this budget in a strong way, because it delivers for Victorians.

As we know, Labor cannot manage money. We can look at the other states. If we look at New South Wales, we see that it has a debt bigger than Victoria's. If we look at Queensland, we see that its debt is \$80 billion and still counting — that is \$80 billion in a resource-rich state. Labor has a history of not managing money. The coalition can manage money. As I said before, the last budget was the first budget in 11 years that was delivered on budget. Again we have shown our colours. The coalition government can run a budget, and we will do it this time. Victorians now know that they have a responsible government. They now know that we have a fiscal and economic strategy that will deliver things for them today and into the future. This strategy is focused on securing Victoria's future. Well done to the Treasurer.

Mr HOWARD (Ballarat East) — I am very pleased to be able to add my contribution to this budget debate. It is interesting that after having listened to the member for Lowan, who has just completed his speech on the budget, you would almost think that I am about to speak on a different budget than the one he spoke about. The fact is that it is one and the same budget. It is quite remarkable that somebody who represents a rural electorate like Lowan would get up and try to make something of this budget, which clearly tears away so much of the structure from regional Victoria that the Brumby Labor government spent so much time setting up.

Let us look at what has happened to the TAFE system and consider the news the University of Ballarat has shared with the community in this last week after meeting with the minister responsible for TAFE, Minister Hall, and after hearing about what the budget will mean for TAFE, which of course operates courses in Horsham, Ballarat, Ararat and a number of other towns in regional Victoria generally and in western Victoria in particular. The University of Ballarat has said in relation to TAFE that whereas it had a budget of just under \$50 million — \$49 800 000, I think it was, last year — its budget for next year, its income, when state funding drops by \$20 million, will be \$29 500 000 or thereabouts. These are huge reductions which will see the University of Ballarat cutting, as we know, 30 to 40 per cent of its courses. Where will that hurt most? It will hurt in those smaller communities out in Horsham, in Ararat and in other communities, as well as in Stawell and Ballarat.

The member for Lowan must really be concerned that this government has not delivered a budget that is going to be in the interests of rural Victoria and the area that he represents just on the basis of those vicious TAFE cuts alone. Among the TAFE courses that the University of Ballarat has been developing strongly over recent years have been the ones that relate to the racing industry. The university has been running them out of Horsham, I understand, as well as in Ballarat. That is one of the first areas that it acknowledges will have to be cut. Its horticulture courses are going to have to be slashed, if they continue to exist at all. I will come back to that area later.

Many measures in this budget are going to severely hit rural and regional areas, and it is amazing to see members of The Nationals who are here still crowing away, while secretly they, like Mr Hall, must be severely disappointed by this budget and thinking, 'What are our coalition partners really doing to us?'. When I look at this budget as it relates to my electorate of Ballarat East, I cannot help being very disappointed indeed, because this is a very depressing outcome for my electorate. In the 11 years that I have represented the Ballarat East electorate under the Bracks and Brumby Labor governments, every year I have been able to go back to my electorate feeling confident that in every budget we have delivered so much in terms of capital works to support various communities across the electorate. Those communities are very varied, from Malmsbury and Kyneton in the north, through to Trentham, Daylesford and Hepburn Springs, and back to Ballarat, with Ballan and the towns between those included, and down to Meredith. In each of the years that we delivered a budget we saw at least two schools get funding for major upgrades, so overall we had 22 schools that received major upgrades during the 11 years of Labor government. Two of those schools were entirely rebuilt — the school at Napoleons and the school at Trentham.

On top of that we saw major road upgrades take place continually through the time of our government. We saw the regional rail upgrade, which so greatly transformed public transport for those who travel from Ballarat to Melbourne or on the Bendigo line, as some of my constituents do. My constituents see that they now travel on modern V/Locity trains. They know that in the days of the Kennett coalition government our rail lines were going backwards. Country rail lines were being closed back then, but they saw the building up of those lines, the reopening of the line to Ararat and the reopening of the line to Maryborough. In this budget what did they get? Again they got very little in terms of rail.

Under Labor there was also funding for community halls, fire stations and police stations across my electorate. There were also significant hospital upgrades, including over \$9 million spent on the Trentham hospital. There were major new police stations, including the \$9 million police station at Kyneton that was opened just recently. I am pleased to see a former Minister for Police and Emergency Services in the chamber, the member for Lyndhurst, who came with me to Kyneton about five years ago and at that time acknowledged that Kyneton needed a new police station. The member came up at that time and recognised that this ought to be on the program, and the funding was then committed by the former government. The work was started and has only recently been completed. This was very exciting, and it continues to be exciting for the people of Kyneton.

The former government also committed to many sport and recreation facilities. Again I think of Kyneton and the great aquatic centre it has, but right across my electorate I think of the large and small recreational facilities that are so valuable, whether they be tennis courts, basketball courts, netball courts or improved netball facilities for the women who are part of the netball and football clubs across my electorate and so on. Many facilities were provided.

When I look at what this budget delivered, I realise that it is a great disappointment. How many schools were allocated funding out of this budget? Not one school in the Ballarat East electorate was allocated funding.

Honourable members interjecting.

Mr HOWARD — I will come back to the statement about money. Of course the government continues to say we are in difficult financial times. However, it was very pleased not so long ago to say that Standard and Poor's and Moody's had again given it a AAA credit rating. It forgets that in their entire 11 years the former Labor governments had AAA-rated budgets. So Standard and Poor's and Moody's, as well as so many other agencies, recognised that the financial status of the Labor government was always very sound, as our spending continued to show. Through the global economic crisis we were able to continue to spend to provide stimulus to the economy, and to support what the federal government was doing.

We saw very few jobs lost in Victoria at that time. It is a very different state from what we see in this first full year of the new Baillieu government. We have seen jobs lost all over the place in Ballarat. It is a very depressed scene, and the budget does not give anybody any encouragement. What does this budget have to say

about jobs? It says very little. This Treasurer has still failed to come out with any strategy to build jobs in our economy. The government talks about four pillars, but it is very unclear as to how that is going to measure out into a proper job strategy. We still fail to see that.

When I get back to what this budget has delivered in my electorate, I come to fire stations. Before it came to office the coalition promised a new fire station for Mount Clear and Mount Helen. This is a very significant area within my electorate. There is lots of housing, of course, and it is in one of those areas that the community has been determined to be at high fire risk. The coalition promised a new fire station for that area before it was elected. Where is that fire station? It has still not been budgeted for, and I have written to the Minister for Police and Emergency Services, who is also the Deputy Premier, since this budget, and I received a letter back from him recently that said, 'We did promise this, but we leave it as a matter for the Country Fire Authority to determine which fire stations are built'.

Before the election it was not left as a matter for the CFA to determine what its priorities were. The government said, because it obviously wanted votes in my electorate, that it was going to build the fire station, but now it says, 'Well, it's up to the CFA to determine'. So there is no promise of this fire station for Mount Clear and Mount Helen in this budget, nor is there a promise for the upgrade to the Ballarat fire station. I have CFA members ringing me to ask what is happening with these, and all I can say is, 'The minister says that it is an operational matter now. It is no longer relevant to the promises that were made at the election, and even though the CFA was told then, they are not government priorities now. It is up to the CFA'. The Minister for Police and Emergency Services might have got a number of new fire stations in his electorate — even though it is not as fire-prone as Hepburn, where people are waiting for their new fire station, or as high a risk as Mount Clear and Mount Helen — but the people of the Ballarat East electorate will just have to wait until the CFA determines that it is going to give them their stations.

After the delivery of this budget there were big headlines about the contribution towards the Ballarat Base Hospital and Ballarat Health Services. The government said it was \$46.4 million, but when you look at the print in the budget, how much is in the budget for this year? This amount is to cover additional beds, ambulatory care and a helipad that is going to go on top of the building. The government said it was \$46.4 million. When do we get that? Will we have to wait until 2015–16 to get the rest of that? We get

\$5.5 million up-front in this year's budget, but what do we get for that? We do not know, but we know we will not get a helipad for \$5.5 million. We also know we will not get all those additional beds. We will still have to wait until years two, three and four of this miserable government to get this funding through to our hospital. So what is claimed in the budget as \$46.4 million is a smokescreen, because the government is talking about a four-year budget when it will not even be in office by the end of 2016 or anywhere near there; in fact it will not be in office by the end of 2014 if I calculate correctly. My electorate will have to wait until Labor is re-elected in 2014, and then we might gain some of the support that is really needed in my electorate.

The government has promised more funding for the Ballarat-Buninyong Road works, which it has acknowledged as a priority. But in terms of that money, the government has put \$1.5 million in this year's budget. How much of that has been spent? Zilch. How much of the \$2 million that was in the 2010–11 budget of the Brumby Labor government which it put in for the roundabout at Whitehorse Road along Ballarat-Buninyong Road has been spent? Those works have still not been able to get under way. Even though I have written and written to the Minister for Roads and I have followed up with VicRoads, those works still have not got started. The government keeps saying, 'Oh, we've got problems'. But the government just does not see the Ballarat East electorate as a priority, and on it goes. There is still a long way to go to finally get these roadworks done.

We can also look at those TAFE issues that are of course a serious concern. Following up on the minister coming out and talking to the University of Ballarat and its TAFE campus people — a TAFE that has been going for over 140 years from the School of Mines days, providing great service and great education for the people in my electorate — TAFE in Ballarat is going from a budget of \$49 million to a budget of \$29 million. What do you do with that? What do you tell the students who can no longer go to TAFE next year because TAFE will have cut so many of the courses that are so important to this region? What do you tell the teachers who are going to be sacked, those hardworking teachers who have been doing a great job? What do you tell the industries in Ballarat that depend upon that training in those areas that are going to be cut? It is a long, long list of cuts that we are going to see in this budget. I have not even got time to go through this huge long list of courses that are going to be cut from TAFE.

But I will leave that for a moment because there are still so many other issues to talk about. There is the School

Start bonus, which of course was cut. There is also the education maintenance allowance, which I want to get onto because it really does show again the difference between this government and the former Labor government. We supported the people in our community who needed support, those vulnerable people, those people who need the education maintenance allowance — —

The SPEAKER — Order! The time appointed by sessional orders for me to interrupt business has now arrived. The honourable member for Ballarat East may continue his speech for his remaining 1 minute and 38 seconds when the matter is next before the Chair.

Business interrupted pursuant to sessional orders.

ADJOURNMENT

The SPEAKER — Order! The question is:

That the house now adjourns.

Port Phillip Bay: ferry service feasibility study

Ms NEVILLE (Bellarine) — The matter I raise is for the Minister for Planning, and the action I seek is that the minister act immediately to ensure that the proposed Portarlington to Port Melbourne ferry be included in the study into a commuter ferry service on Port Phillip Bay.

The \$300 000 study recently announced by the minister specifically excluded the Portarlington ferry proposal. This is extraordinary and a slap in the face to the local community and the Bellarine Ferry Group, which has been involved in a Portarlington ferry proposal for over five years. The government is well aware of the Portarlington ferry proposal and that there has already been so much time and work put into it, and it makes sense to include it in any serious proposal and study that is currently being done on potential ferry services for the bay.

The ferry proposal also has a direct link with the development of the Portarlington safe harbour, which is a significant project for the Bellarine and Geelong region. It includes a major upgrade of the Portarlington pier, berthing options for recreational and commercial fishing and, as part of that upgrade, infrastructure that would enable passenger-car ferries to access the pier. The successful completion of the Portarlington safe harbour will be a major development for both regional tourism and the broader local economy, in particular the flourishing mussel industry. There has been extensive consultation with members of the community, who

have endorsed a set of plans for the upgrade, including the ferry infrastructure.

Earlier this year representatives of the Bellarine Ferry Group met with the Minister for Ports, and concerns about the lack of work and action on this upgrade since the election were raised. The Minister for Ports promised he would have a cost-benefit analysis of the safe harbour done and completed by the end of May. The results of the analysis should be useful to the Minister for Planning's proposed study as the analysis must include, and is expected to specifically look at, the viability of a proposed ferry service to Melbourne. The government's rhetoric about cost saving and streamlining in the public service demands that the studies and research into potential infrastructure projects like this are shared, not done in a piecemeal fashion but pulled together to provide the full picture, which in this case would include the viability and value of ferry services.

I urge the minister to take immediate action to have the proposed Portarlington to Port Melbourne ferry service included — as is also being demanded by the local community — in the study into the feasibility of a passenger ferry service for Port Phillip Bay. Anything less does not make any sense.

Tourism: Yarra Valley

Mrs FYFFE (Evelyn) — I raise a matter for the attention of the Minister for Tourism and Major Events. The action I seek is for the minister to provide funding for two forthcoming events in the Yarra Valley, Shedfest and the Shortest Lunch. Both events showcase local wines, musicians, food and the beautiful views of the Yarra Valley.

The wineries of the Yarra Valley work hard to position themselves as premier producers in the global wine market. This reputation has established the valley as a thriving wine region and has paid dividends to Victoria in terms of jobs, culture and economic activity not only through wine production but also through the valuable tourism dollars it generates.

The Shortest Lunch is organised by the Yarra Valley Smaller Wineries Association and held on the weekend of 23–24 June. The name is a deliberate take-off of the World's Longest Lunch and the event is held over the weekend of the winter solstice, making it the shortest weekend in terms of daylight hours. The Shortest Lunch is a terrific way of enticing Melburnians and their valuable tourist dollars out to the Yarra Valley to sample some of the fine wine and cuisine that the smaller scale wineries have to offer. Entree size meals

cost between \$10 and \$15, and they feature local products such as Black Angus beef, lamb, vegetables and fruit, and desserts are also on offer. Yering Farm is offering absolutely fabulous homemade apple pies — made with home-grown apples from its orchard — served at the Yering Farm Winery. There are also Wally Zuk's famous pancakes with maple syrup at Five Oaks Estate. The Shortest Lunch directly benefits the local community, with the net proceeds of the \$10 entry fee divided amongst the local Country Fire Authority brigades. Since 2009 the event has raised in excess of \$13 000 for the CFA.

The second event, Shedfest, is held on the weekend of 13–14 October. It is aptly named as it describes the humble sheds of the wineries along the Warburton Highway that host the event as opposed to the more traditional cellar door structures throughout the valley. Celebrating its 10th year, Shedfest sells the townships on the southern side of the Yarra Valley — not just the wineries — to tourists. Last year's event saw guests enjoy a hit of croquet with local club members as they wine and dined, with local bands maintaining the ambiance.

Government funding is crucial to promote both these events as they not only generate local economic activity but also provide great social benefits to the communities of the Yarra Valley. I ask the minister to provide funding for both these worthwhile events — Shedfest and the Shortest Lunch — and to ensure that the Baillieu government continues to support wine and tourism events in the Yarra Valley.

Delacombe Primary School: toilets

Ms KNIGHT (Ballarat West) — I raise a matter for the attention of the Minister for Education. The action I seek from the minister is for him to provide funding to Delacombe Primary School so that it can fix its leaky toilets. The male toilets at the school have been faulty for some time and are getting progressively worse. The cisterns are continually running, and the last water bill for the school was \$1452 — up from \$624 for the previous quarter. This is an expense that the school just cannot carry. To make matters worse, the plumber who has quoted upwards of \$10 000 to fix the toilets believes there may be asbestos in the toilets — a further expense that the school cannot afford. An appeal to the regional office has shown that due to budget cuts it is now unable to reimburse the school the cost of fixing the toilets.

It seems unfair, and a strange priority, that at a time when up to \$268 000 is being spent on toilets at individual train stations in preparation for protective

services officers — toilets that commuters will be unable to access — Delacombe Primary School is unable to access \$10 000 to fix its toilets and as a consequence is having to fork out more the twice the normal amount for its water bills.

On Monday I had the absolute privilege of being principal for a day at Delacombe Primary School. It was a wonderful day; I loved it. It is a fantastic school with great kids, professional, dedicated and compassionate teaching and support staff, and wonderful volunteers. Everyone works hard to help the children be the best they can be, and often this work is extremely challenging. Sadly, some of these students have very difficult home lives. Some have disabilities, some have behavioural issues and some come from backgrounds of extreme poverty, but they all have one thing in common — that is, a school community that is their absolute champion, that believes in them no matter what their circumstances and that works tirelessly to take every single child along on an educational pathway.

Just spending one day working alongside the principal, Nadia Bettio, and assistant principal, Marnie Cooper, showed me that they are persistent and will not be deterred from their mission to provide the best opportunities and the best education for their students. Believe me, they know every single one of their students. They know their parents, their carers, their siblings, their hobbies, their potential and their circumstances. They should be able to do this work because it is really important; they should not have to worry about broken toilets.

Mental health: Latrobe Valley services

Mr NORTHE (Morwell) — My adjournment matter is for the Minister for Mental Health. The action I seek is for the minister to consider the Latrobe Valley as a location for a new mother and baby service to assist in particular new mums who may be suffering from mental health problems. This is a vitally important service, and I believe the Latrobe Valley is well placed to receive it.

I am pleased to note that the minister has been supportive of the Latrobe Valley and the wider Gippsland region in respect of improving mental health services since the government came into office in 2010. Indeed the minister has previously announced \$3.2 million for the Gippsland region's Doorway Project, a collaborative arrangement between the Mental Illness Fellowship of Victoria, Latrobe Regional Hospital — in particular its Flynn unit, which assists people with mental health issues — and also private

real estate agencies such as Stockdale and Leggo. The Doorway Project will assist people with mental illnesses to find accommodation in the Latrobe Valley and the wider Gippsland region. Through that project those tenants can use 30 per cent of their income to find some private accommodation, which is much needed within our region.

On top of that, just recently the minister announced some funding for a women-only unit within the Flynn unit at Latrobe Regional Hospital. That is with respect to providing some funding to create a women-only bedroom, corridor, laundry and quiet room. Unfortunately over a period of time we have seen some issues within some of the mental health units, and this segregation is vitally important.

Leading up to the election in 2010 the coalition government made a commitment of \$12.1 million, \$6 million of that in capital funding, to develop three new specialist services in regional Victoria for women with a mental illness and their infants. In the 2012–13 budget the government announced that there will be capital investment for two, five-bed mother and baby services in regional Victoria. As I said, the Latrobe Valley and the wider Gippsland region is very well placed to be the beneficiary of one of these mother and baby units, and I call upon the minister to ensure that the Latrobe Valley is given due consideration to receive one of these units.

Calder Highway: Ravenswood interchange

Ms EDWARDS (Bendigo West) — The matter I raise this evening is for the Minister for Roads. The action I seek is that he include the Ravenswood interchange on the Calder Highway in the Victorian government's submission to Infrastructure Australia for consideration in the commonwealth government's Nation Building program for 2014–15 to 2018–19, due at the end of August this year.

In a letter addressed to the Calder Highway Improvement Committee dated 23 February 2012 the minister said that the coalition government had submitted the Ravenswood interchange on the Calder Highway to Infrastructure Australia for consideration and inclusion in the Nation Building program commencing in 2014–15. After follow-up with the commonwealth Department of Infrastructure and Transport and the federal roads minister and through a thorough examination of the Victorian submission to this first round of federal funding, it is clear that the coalition government did not include the Ravenswood interchange in its first submission for the 2014–15 to 2018–19 funding.

In addition, following correspondence I sent to the Minister for Roads on 30 March this year relating to this matter, the minister has replied with a clarification. The minister now says that the Ravenswood interchange is being considered in the context of the Victorian government's submission for the next federal government Nation Building program and that the details of the submission are still being finalised. The next federal government Nation Building program commences in 2018–19. The minister should apologise for misleading the committee on this matter and for raising the hopes of members of the community who thought that the coalition government might see this interchange as a priority and who thought that the government had already put in a submission.

On top of all this, there was no funding allocated in the state budget this year for the Ravenswood interchange planning stage. Clearly the coalition government is dragging its heels on this. This is despite the fact that the Calder Highway Improvement Committee, the State Emergency Service, the Country Fire Authority, the police and commuters have declared it in urgent need of an upgrade before more lives are put at risk or lost.

The member for Bendigo East and I have continually requested that the government match Labor's \$7 million commitment to the Ravenswood interchange to get the planning process under way. We have been consistently told that the government sees this intersection as a priority. If the government is genuinely serious about fixing this intersection, then it must show it by having the Ravenswood interchange included in the submission to the federal government due at the end of August. If the minister does not get the submission in by the end of August this year, there will be no commonwealth government priority funding available again until 2018–19, as the minister well knows. It will also mean that work on the Ravenswood intersection will not be started until at least 2020. The minister must stop dithering on this important project and make sure the submission is in by the end of August.

Mordialloc Life Saving Club: coastal resource centre

Ms WREFORD (Mordialloc) — I wish to raise a matter for the Deputy Premier in his capacity as the Minister for Police and Emergency Services. The action I seek is for the minister to outline the progress being made on the concept of a Mordialloc coastal resource centre following discussions with me, the Mordialloc Life Saving Club and other Mordialloc groups last year.

The Mordialloc Life Saving Club has been servicing the Mordialloc beach since 1921, and the current

clubhouse has been there since 1957. In the couple of years before the last election and since I have become very close to the club. It is a magnificent club full of enthusiastic members. The building, however, is another matter, but I will come to that in a minute. The club provides a supportive environment for nippers to seniors to masters. In fact it caters for the whole family. Members of the club are active in many competitions both in Victoria and interstate and have won many awards. The club has over 480 members and is growing at around 10 per cent per annum. It is expecting to have over 500 members in the next summer season.

In the dark years under Labor the Mordialloc Life Saving Club was forgotten. It was allowed to crack and weather. The latest building audit done by the council shows concrete cancer throughout the building. Despite last-minute Labor promises to patch it up being made during the election campaign, this issue needs more than a patch. It needs a proper plan that integrates the club with other community groups.

The Minister for Police and Emergency Services came to visit last September. He saw some initial plans and concepts for the coastal resource centre. They are ambitious plans that involve demolishing the old building and creating a new environmentally sensitive and practical building that would service not just the almost 500 club members but the wider community as well, including possibly school groups and many other groups.

At this point in time the new building is aspirational. The community and local council are supportive of the concept of a coastal resource centre. The club does not mind being a leader, and club members would be happy if the club were a model for future coastal resource centres. The concept has some unique opportunities to make it more visually appealing. It would provide a welcoming gateway to the beach. If it is properly planned, it will be a big opportunity for the club and the greater community to interact in a proper way. I ask the minister to provide an update on its status. I look forward to his response.

University of Ballarat: TAFE funding

Mr HOWARD (Ballarat East) — I raise an issue for the urgent attention of the Minister for Higher Education and Skills, and I urge him on behalf of the community of the region of Ballarat to reinstate the \$20 million the state government has slashed from the University of Ballarat (UB) TAFE budget. This vicious \$20 million cut represents a 40 per cent decline in the university's TAFE funding — its income of just over \$49 million last year has been cut to just \$29 million.

This is a huge cut. This will see UB cutting its courses by 30 to 40 per cent. I should add that these statistics have not been invented; they are the figures presented by the University of Ballarat after its representatives met with the minister a little over a week ago.

In human terms, as of next year hundreds of young and mature age students will not be able to undertake important TAFE training and up to 80 valued teaching and administration jobs will be lost. This will also mean the loss of skills development for industries which are vitally important to our region. This includes the loss of courses in relation to the tourism and hospitality sector, horticulture, live theatre production, business and the racing sector. The university has been developing new courses to help meet the future needs of the racing industry and has been developing so many others. Fifty-seven separate courses are listed to cease under these new arrangements.

The School of Mines Ballarat, which is the largest TAFE campus of UB, has been serving the Ballarat region for over 140 years. Its role is as important as ever in providing opportunities for young people and mature age students to gain important skills which will lead to jobs in the future. In fact it provides skills which will see our industries secure their future. At a time when jobs are being lost in our region it is more important than ever that TAFE continues to provide that important training and retraining pathway.

These cuts to TAFE funding can only be described as a vicious assault on our TAFE system, and this government and the minister stand condemned in the eyes of the people of the Ballarat region. These cuts are on top of the cuts to VCAL (Victorian certificate of applied learning), which is a valued program that provides an important pathway and keeps many young people in the training and education system. VCAL and TAFE have been so important in providing positive futures for so many people.

I say to the Minister for Higher Education and Skills that it is not too late to change tack and to argue for an urgent review of the budget. I, along with all the hundreds of young people, parents, many teachers and others in Ballarat who want to see TAFE saved, call on the minister to reverse this disastrous decision to make these massive cuts to TAFE funding.

Howitt Park, Bairnsdale: soccer facilities

Mr BULL (Gippsland East) — I raise a matter for the Minister for Sport and Recreation, and the action I seek is for him to support the upgrading of soccer facilities in Bairnsdale. The world game, as it is known,

is increasing in popularity in many rural and regional areas. We have had a very vibrant indoor soccer competition in East Gippsland and throughout the region for a number of years, but in recent times we have seen an explosion in participation rates for outdoor soccer.

Currently most games are played at Howitt Park, which is adjacent to the Princes Highway. In recent years if you had driven along there of an evening you would have seen a sea of faces taking part in soccer matches — people of all ages from the community. I am well aware that in the 2012–13 budget the minister announced a \$1.45 million investment that will continue the coalition government's support for soccer facilities across Victoria to improve playing conditions and playing surfaces for the sport. I therefore urge him to provide upgraded facilities in Bairnsdale for a competition that attracts players from many of the surrounding townships in my electorate. Players come in from Bruthen, Nicholson and Lindenow, and a large number come up from Paynesville.

I am aware East Gippsland Shire Council has shown interest in having the playing area at Howitt Park upgraded with a lighting system to allow evening matches to take place. This would allow for much higher participation levels than presently are the case. The facility currently has no lighting but supports the largest soccer club in the Gippsland region, the East Gippsland soccer club.

I am well aware the minister has a slogan that he trots out on a regular basis, encouraging more people to get more active more often. I have heard that slogan come from the mouth of the minister on a number of occasions in a number of locations, and what a great slogan it is. An upgrade such as this in the Bairnsdale district, with lighting and facilities, would allow soccer players of all ages to pursue their activity of choice and would not only assist our soccer fraternity but also assist a number of other sports in our region. We have a vibrant Little Athletics club that uses the same playing area, and it would also provide options for a number of other sporting organisations.

Rail: Pakenham and Cranbourne lines

Mr LIM (Clayton) — I raise a matter for the Minister for Public Transport, and the action I seek is that he provide additional train services for passengers on the Pakenham and Cranbourne lines, commencing and terminating at Westall station during the morning and afternoon peak periods.

In January 2010 I had the honour of turning the first sod with the former Minister for Public Transport to commence the total rebuilding of Westall railway station at a cost of \$153 million. This project included works for an additional track between Centre and Springvale roads, an expansion of the stabling yard for extra trains to park overnight, an expanded maintenance depot and new signalling. The project also included extra car parking, closed-circuit television throughout the station and upgrading to premium station status, meaning it would be manned from first to last train. The end purpose of this project was twofold: to provide additional services by allowing trains to commence their journey into the city at Westall station during the morning peak to alleviate overcrowding further up the line and, similarly, to assist in the afternoon peak period.

Morning peak commuters commencing at Westall, Clayton and Huntingdale stations continue to comment on the numbers of passengers already packed in by the time the morning trains, originating from Pakenham and Cranbourne, reach their stations. The station upgrade project was completed in October 2011, but currently only two trains commence their journey at Westall during the morning peak period — the 6.42 and the 8.44 services. Five train services that originate from the city terminate at Westall station in the afternoon; however, only two depart Flinders Street station during the busiest afternoon peak period — the 6.01 and the 6.20.

It is important that we get more peak-hour services originating and terminating at Westall to offer more commuters the option to travel by public transport instead of by motor vehicle. I ask the minister to review the current timetables with the department and provide these much-needed additional services as soon as possible.

Housing: Ashburton neighbourhood harmony project

Mr WATT (Burwood) — My adjournment matter is for the Deputy Premier in his capacity as Minister for Regional and Rural Development. The action I seek is that the minister ensure funding for a new initiative in my electorate of Burwood, the Ashburton neighbourhood harmony project. This is a partnership project between Camcare, the Eastern Community Legal Centre, the Dispute Settlement Centre Victoria and the local Ashburton community. Overall management will be provided by Camcare, which has been providing support to the local Boroondara community for over 35 years and is predominantly a counselling and family support service funded by the

City of Boroondara. Camcare has experience and expertise in engaging residents and supporting diverse target groups.

The project is aimed at the Markham and Alamein public housing estates and is designed to increase the capacity of residents to identify and resolve neighbourhood conflict earlier. The project aims to create a more harmonious local community via alternative dispute resolution pathways, effective community engagement, access to relevant community services and capacity building that prepares local residents to be active decision-makers and leaders in their communities.

There are frequent verbal disputes and instances of antisocial behaviour involving some residents in the Markham and Alamein estates, leading to homelessness, assaults, racial vilification and sometimes police intervention. Family violence data also indicates that Ashburton is the suburb within the municipality of Boroondara most affected by this problem. Additionally it appears that the residents often do not engage with the available community services, such as dispute resolution, due to either a lack of knowledge of their existence or a lack of understanding of their application.

The project aims to help provide this information to residents. The objectives of the project include increasing the community's sense of wellbeing in the neighbourhood through reduced numbers of incidents of conflict and of complaints, providing education and training to public housing tenants regarding existing dispute resolution processes and other relevant community services through community engagement activities, and providing peer mediation training to suit public housing community tenants, leading to additional conflict resolution options.

The project is based on the City of Yarra's Neighbourhood Justice Centre model, which has been an effective model for reducing antisocial behaviour and neighbourhood disputes through making a range of services available to residents. A more harmonious society is basically the main objective — one we can all agree on — and I ask the minister to commit funding for this project.

Responses

Mr RYAN (Minister for Police and Emergency Services) — I rise in relation to the two matters that have been raised for my attention. The first of those was raised by the member for Mordialloc and relates to the prospect of a contribution towards the undertaking

of a feasibility study into what is what is known as the Mordialloc coastal resource centre. I visited the facilities of the Mordialloc Life Saving Club in company with the member in September last year, and I was able to have a good firsthand look at the building. Having heard the member's description of the building as it now 'stands', I must say I support the manner in which she has put this issue to the house.

In fact the club building is rather tired. It has seen better days. There is the need for significant work to be undertaken to resolve what are very obviously outstanding difficulties with the building's functioning. That in itself does not bear any relationship at all to the membership of the club. On the contrary, the club is extraordinarily vibrant, has some 450 members or thereabouts and makes a terrific contribution to the people of the region. For all those reasons, the members of the club are entitled to feel very proud of their many achievements.

Kingston City Council is interested in this development and is willing to make a contribution to the cost of the feasibility study. Through my department I understand that the overall cost of that study is some \$40 000. I am pleased to be able to tell the member for Mordialloc that the government, through a grant under the Community Support Fund, for which I have responsibility through the Department of Planning and Community Development, will contribute \$20 000 toward the cost of that initiative. That will enable engagement with all the key stakeholders because, as the member has observed, the issue is one which goes beyond the lifesaving club itself and extends to the broader community. The more we can have developed facilities which have a multifunctional purpose to them, the better it is — even more so when they are in such a magnificent location as that to which the member refers.

A further matter was brought to my attention by the member for Burwood. He also sought assistance through a Community Support Fund grant for what is a very worthy project, one which is termed the Ashburton neighbourhood harmony project. It is the fact that sometimes in this day and age disagreements arise between different elements of the community. Perhaps more often than one would like that is the case in public housing estates. That occurs more than anything else simply because people are residing in pretty close quarters. It may well be that issues arise about which there are disputes between parties which need to be resolved.

This project is intended to provide a mechanism for resolution of such disputes. The disputes are focused

particularly around the Markham and Alamein public housing estates, and the intention is to increase the capacity of the residents to identify and resolve neighbourhood conflicts. I am pleased to be able to say that through the Community Support Fund grants the government will make available \$43 155 to assist in this important work and to see that studies are undertaken to ensure that a system can be developed which is appropriate to better enable the people concerned to resolve these rather difficult situations.

Ms ASHER (Minister for Tourism and Major Events) — The member for Evelyn spoke about two small local events, the Shedfest wine festival, which is to be held over the weekend of 13 and 14 October, and the Yarra Valley Smaller Wineries Shortest Lunch, to be held over the weekend of 23 and 24 June. She went into great detail about these events. I would like to mention that the member for Seymour has been very active in her support of these events as well. These events are very small but they play a very important role in providing the local community with increased visitation and an economic boost to the local small businesses, which are the major beneficiary of these types of events.

Twice a year, in April and October, the coalition government provides funding through the Country Victoria Events program to assist with event marketing of these types of small, but again I stress very important, local events, and the member for Evelyn has highlighted these particular cases. I invite all members of Parliament to encourage organisers of small events or festivals in their areas to put in their applications because the next round for funding will close on 1 October.

I am delighted to announce that to assist with event marketing the Shedfest wine festival and the Yarra Valley Smaller Wineries Shortest Lunch have been allocated \$2500 each from the April 2012 round of the Country Victoria Events program. Members would be interested to know that a total of \$77 500 has been allocated in this round to fund 28 events across Victoria.

While I am talking about this, I want to pay tribute to the member for Mildura, who has advocated very strongly for the Mallee Almond Blossom Festival and the Willowfest Australian Cricket Club Championships. The member for Nepean, who is the Minister for Education, has been very strong in his support of four events in his electorate that have received funding: the Hinterland Scarecrow Festival, the Peninsula Short Film Festival, Taste of Sorrento and the Winter Wine Weekend. The member for Polwarth,

who is the Minister for Public Transport, has been very supportive of the Anglesea Music Festival and the Lorne Festival of Performing Arts. Again, a range of other members have been very supportive of events in their electorates.

The member for South-West Coast, who is the Minister for Ports, has been supportive of Port Fairy Winter Weekends, and the member for Swan Hill has been very supportive of Naturally Loddon — A Wonderland in Spring. So it goes on; member after member has been active in pursuing funding for events in their electorate. The member for Benambra has supported the Beechworth Celtic Festival; in fact he raised this event in the house, if I recall correctly, some time ago. The member for Benalla has raised a number of events, as has the member for Murray Valley. The member for Rodney has also raised a number of events that have received support.

Again, in conclusion, whilst I am delighted to inform the members for Evelyn and Seymour that funding has been granted for their events, I would encourage honourable members to persuade their event organisers to pursue the funding application round which will close on 1 October 2012.

Mr MULDER (Minister for Public Transport) — The member for Bendigo West raised with me an issue in relation to the funding of the Ravenswood interchange. The member indicated that I had written to advise that the Ravenswood interchange had been included in a submission to the Nation Building program and that I was following this through. She claimed that in fact the interchange had not been included in the latest round of Nation Building funding and that I intended to follow it up in the next round.

What I think may have happened with this particular project is this: I recall that prior to the last election an announcement was made by the member for Bendigo East that \$7 million had been provided by the former Labor government for the planning of this project. That being the case, upon coming to office I assumed that that funding was in the pipeline and the project was flowing, as they normally do when that sort of funding is provided. So you can imagine how surprised I was when I asked for a project report on the Ravenswood interchange to find out from VicRoads that in fact no money had been allocated by the former Labor government. Not a cent had been allocated to that project. That of course set the process back. What I understand is that in the dying days of the election campaign a promise was made by the caretaker government but no funding was actually allocated through the relevant portfolio. I will follow this issue up

for the member for Bendigo West in relation to the next application for Nation Building funding.

As I am sure the member for Bendigo West would be aware, indications from the federal government are that both the Infrastructure Australia bids and the Nation Building bids are going to be wrapped up together. Because of a lack of funding provided by the Gillard federal government to Victoria, it will be a very competitive process going forward to try to get these projects up. What I would suggest to the member for Bendigo West, and indeed to all members on the other side, is that if we put forward applications to the Nation Building program for funding, that they do not cherry pick. Each and every one of those projects is going to be extremely important. For instance, if there happened to be a further application for funding for the east-west link on top of funding for the Ravenswood interchange, those projects should be supported wholeheartedly by all members of the opposite side, including the member for Bendigo West, because they involve significant construction jobs and they provide great incentives in relation to improving productivity. We want to make sure that when those applications go in they get 100 per cent support from both sides of the chamber, because with a limited amount of funds available the process is going to be very competitive right around Australia.

The member for Clayton raised an issue with me in relation to additional train services on the Pakenham and Cranbourne lines. As the member for Clayton would be aware, since coming to office the coalition government has so far introduced something in the order of 1000 additional train services across the metropolitan network. My understanding is that that particular offer in terms of bringing out the greenfield timetable early was made to the former Labor government, and it chose not to take it up. The former Minister for Public Transport slid it into the bottom drawer and waited until after the election, and we still do not know, had there been a different outcome in that election, whether or not the Labor government would have had the ticker to introduce a new greenfield timetable — something that we certainly picked up and ran with. It was only recently, in terms of those 1000 additional services, that 350-odd services were provided as part of the opening of the new South Morang line.

On top of that, we introduced 10-minute services on the Frankston, Dandenong and Ringwood lines. We are heading towards what we would call a metro-style service in that regard. Ten-minute services are what we would like to think we could see introduced across the metropolitan train network into the future. There is a lot of work to be done and a lot more investment to be

made. For instance we know in terms of getting that type of outcome that we would need support for the Melbourne Metro tunnel, and once again it is very disappointing that we did not get any funding from the federal government this time around. The money that has been provided for that project has been provided by the Liberal-Nationals coalition government in terms of putting in money and making sure that we get outcomes into the future to provide those additional services.

I will say that in terms of punctuality my latest report today shows that nearly 92 per cent of trains are running on time in the metropolitan network. That is a fantastic outcome, with no ice-creams and no water bottles out there being thrown at the passengers left stranded on stations by the former Labor government. We are getting on with the job. We are making the improvements that are necessary. I can assure the member for Clayton that the Pakenham and Cranbourne lines will be taken into consideration as the new timetable changes come forward. I understand there is another one coming forward with the Sunbury electrification project, and there will be a further improvement to timetables later on this year.

Mr DELAHUNTY (Minister for Sport and Recreation) — The member for Gippsland East raised a matter regarding funding for soccer facilities in his electorate. Firstly, I thank the member for raising this matter, because I know he is very passionate about the activities, particularly in sport and recreation, in the large electorate of Gippsland East; I think it is about the third or fourth largest electorate in the state.

Mr Bull interjected.

Mr DELAHUNTY — The member for Gippsland East tells me it is the third largest. In his adjournment matter tonight the member spoke about Howitt Park, Bairnsdale, and the fact that it is on the Princes Highway. I was interested to hear him saying that on lovely balmy nights he drives down there and many people are playing soccer and being active. He knows I have a strong theme and a couple of principles that I work on in my office, and they are that we want to have active and healthy communities, and we need facilities for active communities. We could then get more people more active more often.

I am pleased to inform the member for Gippsland East that I have recently approved some funding through the latest round of grants by the Strengthening the World Game program for his electorate. East Gippsland Shire Council, which put in the application in cooperation with the club, will receive \$100 000 for the Howitt Park lighting project to enable the main soccer field at the

facility to be lit to competition match practice standard. There is no doubt that this project will increase participation in soccer, and that is good news.

Mr Bull — Fantastic news.

Mr DELAHUNTY — The member for Gippsland East says it is fantastic — it is more than fantastic; it is great news because we can get more people more active.

Right across Victoria we are having difficulties catering for the explosion of people playing soccer. In fact across Victoria since 2007 there has been an increase in registered players of 400 per cent, so there are a lot of people of all ages playing soccer and there is a lot of growth, particularly in women's soccer.

The member for Gippsland East can be very proud of the fact that he has been lobbying for this project. I am pleased to say that people will be able to use this facility, because in Gippsland the sun goes down about half an hour earlier than it does in western Victoria. This facility will allow people to play longer into the night and get greater use out of the fantastic Howitt Park reserve.

I am informed that the East Gippsland soccer club is one of the largest in the Gippsland region. That club and other clubs there will benefit enormously from this project. I look forward to visiting the club with the member for Gippsland East, hearing about the progress and possibly visiting the ground once the lights are installed and fully functional. Congratulations again on the great advocacy from the member for Gippsland East on behalf of his electorate.

Ms WOOLDRIDGE (Minister for Mental Health) — I am very pleased to join the adjournment debate tonight in response to the member for Morwell. There is no greater advocate for mental health services in their electorate than the member for Morwell. We have very regular conversations about the challenges for his constituents and the people in the broader Latrobe Valley in relation to mental health services. There are very significant gaps, and as he outlined in his statement, we have been seeking to address those gaps in mental health services for the people in Morwell and the broader Latrobe Valley through the investments we are making.

The topic he has raised tonight is a very important one — that is, the provision of services for new mums who experience postnatal depression, postnatal psychosis or other mental illnesses. We know that a significant number of mothers experience depression. About 1 in 10 women experiences depression during

pregnancy, and almost 1 in 5 experiences depression in the weeks and months after giving birth. Many of them can be managed in a home environment, but the reality is that a number require a higher level of clinical treatment.

It was a very clear election commitment by this coalition government that I am very proud of that for the first time mother and baby service units are going to be developed in regional Victoria. Up until now the only option for new mums experiencing severe depression has been to come to Melbourne, which meant leaving their babies behind, or being admitted to adult wards in their communities, where they are not able to be with their babies either. We know that the first weeks and months following birth are a critical time for attachment. It can have serious implications for a mother's recovery, and for the new babies as well in terms of their attachment to their mothers, if they are separated. So I am very proud that we are delivering on mother and baby units for regional Victoria.

We have announced where two of those three mother and baby units will be: one in Ballarat, which I was very pleased to announce just in the last week, and one in Bendigo. There is one more unit in relation to which we are finalising our deliberations, and I am very happy to take into account the advocacy of the member for Morwell in relation to mothers in Gippsland and the needs they have. We know that there were over 3000 babies born in the Gippsland region just in the last financial year. There is no doubt that there is a high volume of births there. That is one of the important criteria on which we base our considerations about where these units will be located.

I thank the member for Morwell for his advocacy for people with a mental illness in his community broadly and, importantly, for new mothers who experience the very difficult issues of postnatal depression or psychosis. I can only reiterate how proud I am that the coalition government is delivering these important services to regional Victoria.

Mr DIXON (Minister for Education) — The member for Ballarat West raised with me the issue of leaking toilets and maintenance that needs to be done at Delacombe Primary School in her electorate. She also talked about the importance of the work that is being done within that school community and by the staff at the school. I certainly commend the school for what is being done there. As the member said, many of our schools take on this proxy role within the community of supporting families and students from families that are struggling with a whole range of issues.

I think Delacombe, like all other schools in Victoria, will benefit from the fact that we are moving tens of millions of dollars out of the regions into the schools in clusters so that our student support officers, like speech therapists, psychologists and visiting teachers, will be attached to the schools and will work with the schools to build up those very important relationships with parents, teachers and obviously students. I imagine that Delacombe Primary School would have a primary welfare officer as well, which is a very important program.

Maintenance is an immediate concern, because the toilets are leaking as we speak. We have increased the base maintenance funding for schools by about 48 per cent, after a fall under the previous government, so there is immediate money available. Not all of the \$100 million that we announced in last year's budget will go to that base maintenance funding for schools; it will also go to regions and centrally as well, so if there are major concerns and that money has already been used up, there is more money available for those sorts of maintenance issues where a project may be out of the reach of a school and the school needs that sort of emergency support.

In addition, and I know this is a more immediate concern, we have an extra \$20 million in this year's budget to pick up the priority cases from the audit that is about to be finished of all government schools in terms of their maintenance needs, but obviously this is an immediate concern. I will follow it up with the department tomorrow and see how we can support the school in that immediate maintenance concern.

Mr KOTSIRAS (Minister for Multicultural Affairs and Citizenship) — The member for Bellarine raised a matter for the attention of the Minister for Planning. The action she seeks is for the minister to ensure the inclusion of the Portarlington to Port Melbourne ferry in the study into a commuter ferry service on Port Phillip Bay, and I will refer that matter to the attention of the minister for his direct response.

The member for Ballarat East raised a matter for the attention of the Minister for Higher Education and Skills. The action he seeks is for the minister to reinstate \$20 million to the University of Ballarat TAFE budget, and I will refer that matter to the attention of the minister for his direct response.

The ACTING SPEAKER (Mr Nardella) — Order! The house is now adjourned.

House adjourned 10.52 p.m.